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L A W S
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF PENNSYLVANIA,
PASSED AT THE SESSION OF 1856.
IN THE
EIGHTIETH YEAR OF INDEPENDENCE
WITH AN APPENDIX.



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1856.

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STATE OF
PENNSYLVANIA

PROPOSED

AMENDMENTS TO THE CONSTITUTION.

RESOLUTION

Proposing Amendments to the Constitution of the Commonwealth.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met: That the following amendments are proposed to the constitution of the commonwealth, in accordance with the provisions of the tenth article thereof.

FIRST AMENDMENT.

There shall be an additional article to said constitution to be designated as article eleven, as follows:—

ARTICLE XI.

OF PUBLIC DEBTS.

SECTION 1. The state may contract debts, to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts direct and contingent, whether contracted by virtue of one or more acts of the general assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars, and the money arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

For what the state may contract debts.
Amount of such debts limited.
How the money raised must be appropriated.

SECTION 2. In addition to the above limited power the state may contract debts to repel invasion, suppress insurrection, defend the state in war, or to redeem the present outstanding indebtedness of the state; but the money arising from the contracting of such debts, shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

War debts may be contracted.
Appropriation of the money raised.

SECTION 3. Except the debts above specified, in sections one and two of this article, no debt whatever shall be created by, or on behalf of the state.

Other debts prohibited.

A sinking fund to be created. SECTION 4. To provide for the payment of the present debt, and any additional debt contracted as aforesaid, the legislature shall, at its first session, after the adoption of this amendment, create a sinking fund, which shall be sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; which sinking fund shall consist of the net annual income of the public works, from time to time owned by the state, or the proceeds of the sale of the same, or any part thereof, and of the income or proceeds of sale of stocks owned by the state, together with other funds, or resources, that may be designated by law. The said sinking fund may be increased, from time to time, by assigning to it any part of the taxes, or other revenues of the State, not required for the ordinary and current expenses of government, and unless in case of war, invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in extinguishment of the public debt, until the amount of such debt is reduced below the sum of five millions of dollars.

Of what it shall consist.

The credit of the commonwealth not to be loaned to individuals or companies.

The commonwealth prohibited from assuming debts.

Counties, &c., prohibited from being stockholders, &c., in corporations.

SECTION 5. The credit of the commonwealth shall not in any manner, or event, be pledged, or loaned to, any individual, company, corporation, or association; nor shall the commonwealth hereafter become a joint owner, or stockholder, in any company, association, or corporation.

SECTION 6. The commonwealth shall not assume the debt, or any part thereof, of any county, city, borough, or township; or of any corporation, or association; unless such debt shall have been contracted to enable the state to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the state in the discharge of any portion of its present indebtedness.

SECTION 7. The legislature shall not authorize any county, city, borough, township, or incorporated district, by virtue of a vote of its citizens, or otherwise, to become a stockholder in any company, association, or corporation; or to obtain money for, or loan its credit to, any corporation, association, institution, or party. •

SECOND AMENDMENT.

There shall be an additional article to said constitution, to be designated as article XII, as follows:

ARTICLE XII.

OF NEW COUNTIES.

New counties.

No county shall be divided by a line cutting off over one-tenth of its population, (either to form a new county or otherwise,) without the express assent of such county, by a vote of the electors thereof; nor shall any new county be established, containing less than four hundred square miles.

THIRD AMENDMENT.

Amendment to article I of the constitution.

From section two of the first article of the constitution, strike out the words, "*of the city of Philadelphia, and of each county respectively;*" from section five, same article, strike out the words, "*of Philadelphia and of the several counties;*" from sec-

tion seven, same article, strike out the words, "*neither the city of Philadelphia nor any,*" and insert in lieu thereof the words, "*and no;*" and strike out "*section four, same article,*" and in lieu thereof insert the following:

"SECTION 4. In the year one thousand eight hundred and sixty-four, and in every seventh year thereafter, representatives to the number of one hundred, shall be apportioned and distributed equally, throughout the state, by districts, in proportion to the number of taxable inhabitants in the several parts thereof; except that any county containing at least three thousand five hundred taxables, may be allowed a separate representation; but no more than three counties shall be joined, and no county shall be divided, in the formation of a district. Any city containing a sufficient number of taxables to entitle it to at least two representatives, shall have a separate representation assigned it, and shall be divided into convenient districts of contiguous territory, of equal taxable population as near as may be, each of which districts shall elect one representative."

Apportionment of representatives

At the end of section seven, same article, insert these words, "*the city of Philadelphia shall be divided into single senatorial districts, of contiguous territory as nearly equal in taxable population as possible; but no ward shall be divided in the formation thereof.*"

Senatorial districts in Philadelphia.

The legislature, at its first session, after the adoption of this amendment, shall divide the city of Philadelphia into senatorial and representative districts, in the manner above provided; such districts to remain unchanged until the apportionment in the year one thousand eight hundred and sixty-four.

Apportionment for Philadelphia.

FOURTH AMENDMENT.

To be section XXVI, Article 1.

The legislature shall have the power to alter, revoke, or annul, any charter of incorporation hereafter conferred by, or under, any special, or general law, whenever in their opinion it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the incorporators.

Alteration or revocation of charters.



L A W S

OF THE

COMMONWEALTH OF PENNSYLVANIA.

No. 1.

AN ACT.

To pay certain expenses of certain Committees of the Legislature of one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized to pay A. W. Benedict, clerk of the house of representatives, the sum of twenty-five dollars, being the amount paid by him to Edward M'Pherson, for services rendered as the clerk to the committee of ways and means, in the investigation under the resolution of February fifteenth, one thousand eight hundred and fifty-five, and which was paid the said M'Pherson pursuant to the direction of a resolution of the house of representatives, passed March eighth, one thousand eight hundred and fifty-five.*

Certain money to
be paid to A. W.
Benedict

SECTION 2. That the state treasurer be and he is authorized to pay to Abner L. Linton seventy-two dollars, being his per diem pay as clerk to the committee on the contested election in Northampton county, the payment of which was authorized by resolution of the house, passed eighth May, one thousand eight hundred and fifty-five.

Certain money to
be paid to A. L.
Linton.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The third day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 2.

AN ACT

Providing for the election of a Senator to represent this State in the Senate of the United States.

WHEREAS, A vacancy now exists in the representation from this state in the senate of the United States; therefore,

Election of U. S. Senator. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of both houses shall meet in convention, in the chamber of the house of representatives, at the hour of twelve, on the second Monday of January, in the present year, and then and there proceed to choose a senator to represent this state in the senate of the United States, for the term of six years from the fourth day of March last, and that the candidates be nominated, and the election held and conducted in the manner prescribed by the act, entitled "An Act relating to the elections of this commonwealth," passed the second day of July, eighteen hundred and thirty-nine.

Repeal. SECTION 2. That the supplement to the act named in the foregoing section, passed the eighteenth day of April, eighteen hundred and fifty-three, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 3.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Hazleton Coal Company," approved March sixteenth, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the eighteenth section of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, be and are hereby declared to be applicable to the railroads

OF THE SESSION OF 1856.

already constructed, or hereafter to be completed by the Hazleton coal company, under the original charter, and the supplements thereto, as fully as if the same had been embraced in the said charter and supplements; and the said company are hereby authorized to increase the capital stock by additions thereto of not more than ten thousand shares of fifty dollars each, and to be issued as to them shall seem expedient: *Provided*, That said company shall pay into the state treasury a bonus of one-half of one per centum upon the amounts of such stock hereby authorized, in four equal annual instalments, from and after the creation of the same.

SECTION 2. That the said Hazleton coal company, in addition to the lands which they are now authorized to possess, may hold, either by purchase or lease, not exceeding one thousand acres, in order to secure a supply of timber for mining purposes, or otherwise to promote the operations of the company: *Provided*, That the lands which may be held under the provisions of this act shall not be located more than ten miles from the lands they now hold.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 4.

A N A C T

Providing for the pay of the Retiring Officers of the present Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the officers of the last legislature, who have returned at the present session, and have not been re-elected as officers, be paid mileage, and also per diem compensation for the time they have been retained and been in the actual service of either house, under a resolution thereof, the accounts therefor to be settled and paid in the usual manner.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 5.

AN ACT

To Legitimate Mary Ann Wilber and Martha Bolton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Mary Ann Wilber, wife of James L. Wilber, and Martha Bolton, wife of John Bolton, natural daughters of Abram Wrigley, of Abington, Luzerne county, shall have and enjoy all the rights and privileges of children born in lawful wedlock, and that they shall be able and capable in law to take, hold, inherit and possess, pass and transmit all and every estate, real and personal, of whatever kind or nature soever, as fully, effectually, to all intents and purposes, as if they had been born in lawful wedlock.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 6.

AN ACT

Authorizing the holding of the several Courts of Centre county in the Methodist Episcopal Church of Bellefonte, until the new court house is completed.

WHEREAS, A new court house in the county of Centre is now being erected, and the commissioners of said county have rented the basement story of the Methodist Episcopal church, in the borough of Bellefonte, for the accommodation of the several courts of said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That until the completion of the court house it shall be lawful to hold*

OF THE SESSION OF 1856.

all the several courts of the said county of Centre in the basement story of the Methodist Episcopal church aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 7.

A FURTHER SUPPLEMENT

To the act incorporating the Borough of West Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all loans hereafter created or renewed by the borough of West Chester, shall be liable to taxation for state purposes only.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of January, Anno Domini one thousand eight hundred and fifty-six

JAMES POLLOCK.

No. 8.

AN ACT

To pay the Claim of Day and Newall.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and required to pay to Day and Newall the sum of six hundred dollars, for*

LAWS OF PENNSYLVANIA,

a burglar-proof safe and patent bank lock, purchased for the use of the treasury department.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 9.

A SUPPLEMENT

To an act to extend the width of Chatham street, and open part of Tioga street, in the city of Philadelphia, passed the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second section of an act to extend the width of Chatham street, and other purposes, passed the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed, and that all proceedings under and by virtue of the same are hereby annulled.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 10.

AN ACT

For the Payment of certain Contingencies of Senate for Session of one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the state treasurer be directed to pay to Thomas A. Maguire, for amount paid to William Duncan for snuff and tobacco furnished the senate chamber in one thousand eight hundred and fifty-four, thirteen dollars and forty-six cents, and for amount paid R. H. Adams, for services in comparing senate journal and making index for senate bills, in one thousand eight hundred and fifty-four, ninety-five dollars and fifty cents.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 11.

A FURTHER SUPPLEMENT

To the act, entitled "An Act to encourage Manufacturing Operations in this Commonwealth," approved the seventh day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, be and the same are hereby extended to corporations which may be organized and established for the purpose of making and manufacturing oils, hydro-carbon fluids, and all other products resulting from subjecting coal of any kind to the action of heat, or the process of distillation in any manner whatsoever.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 12.

A SUPPLEMENT

To an act to provide for the erection of a House for the Employment and Support of the Poor for the county of Carbon, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of Carbon county are hereby authorized to add to the county taxes of the accepting districts in said county, under the provisions of the act, entitled "An Act to provide for the erection of a house for the employment and support of the poor for the county of Carbon," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, for the purposes of said act, an additional sum of not exceeding ten mills on the dollar, and to continue to lay every year thereafter a like tax, if necessary, for the purposes aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 13.

AN ACT

To repeal an act relative to the opening of a portion of Tioga Street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of an act, entitled "An Act authorizing the opening Pleasant street from Charles street to Ninth street and Tioga street, in the city of Philadelphia," approved the seventh

OF THE SESSION OF 1856.

day of May, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 14.

A FURTHER SUPPLEMENT

To an act to incorporate the Point Breeze Park Association, approved February eighth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Point Breeze park association shall be and they are hereby authorized to increase their capital stock forty thousand dollars, to be divided into shares of two hundred and fifty dollars each, and to sell, issue, or otherwise dispose of such an additional number of shares of stock as may be necessary to effect such increase, in such manner, and at such times and places as may be ordered by the directors of said company.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 15.

AN ACT

For the relief of Rachel Henderson, widow of an old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and directed to pay to Rachel Henderson, of Lawrence county, widow of a soldier of the Indian wars, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and payable half yearly thereafter, on the first days of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 16.

AN ACT

To incorporate the Hanover and South Whitehall Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Samuel Lewis, Nicholas Dewald, Jonathan Newhard, Henry King, Doctor John Romig, William Fry and Samuel M'Hose, be hereby appointed commissioners to open books, receive subscriptions and organize a company, under the name, style and title of "the Hanover and South Whitehall bridge company," for the purpose of erecting a bridge across the river Lehigh, in Lehigh county, at or near the Allentown iron works.

Commissioners.

Style

Capital stock.

Subject to.

SECTION 2. That the capital stock of said company shall be fifteen thousand dollars, to be divided into six hundred shares, of twenty-five dollars each, with power to increase the said capital stock and number of shares to an amount sufficient for the erection of said bridge.

SECTION 3. That said company shall be organized under and subject to all the provisions and restrictions of the act regulating

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bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 17.

AN ACT

Relative to the Sunbury Canal and Water-power Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Sunbury canal and water-power company be and are hereby authorized to borrow any sum not exceeding one hundred thousand dollars, for the purpose of completing their canal and improvements, and to issue the bonds of the company therefor, in sums not less than five hundred dollars, bearing interest at a rate not exceeding ten per cent. per annum, convertible into the stocks of the company, and redeemable in seven years from their date, and to secure the payment of the said bonds by a mortgage of their canal, lands and other property, together with their corporate franchises.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 18.

AN ACT

For the relief of Margaret Morris, widow of an old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

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the state treasurer be and he is hereby authorized and directed to pay to Margaret Morris, of Greene county, widow of a soldier of the Indian wars, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and payable half yearly thereafter, on the first days of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 19.

A SUPPLEMENT

To an act incorporating the German Lutheran Congregation in and near the city of Philadelphia, in the State of Pennsylvania, passed on the third day of March, Anno Domini one thousand seven hundred and eighty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the ministers, vestrymen and church wardens of the German Lutheran congregation in and near the city of Philadelphia, in the state of Pennsylvania, shall and may be empowered at any time or times hereafter to build one or more additional church or churches or places of public worship: *Provided,* That the clear yearly value of the messuages, houses, lands, tenements rents, annuities and other hereditaments and real estate of the said corporation shall and may be of any amount not exceeding two thousand dollars for each and every of the said churches or places of public worship; the said yearly value or amount to be taken and computed exclusive of the moneys arising from the letting of the pews of the said churches, or for opening the ground for burials in the church-yards belonging to them; and also exclusive of the voluntary contributions of the members for the support of the ministers duly officiating in the churches of the said congregation: *And provided also,* That the yearly income of the said real estate so ascertained and limited as aforesaid, shall be disposed of by the said corporation, in such sums and for such periods as may from time to time be provided for by resolution, for the purposes following, and no others, to wit:—For the maintenance and support of the ministers and officers duly settled and officiating in their houses of worship, and school houses attached thereto, putting in good order, and keeping in repair the burying grounds, school and parsonage houses, and other houses which do now or hereafter

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shall belong to the said congregation, and for supporting, repairing or re-building their churches.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 20.

A N A C T

For the relief of A. Magdalene Thomas, widow of an old Soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is authorized and required to pay A. Magdalene Thomas, of Lancaster city, widow of George Thomas, a soldier in the Revolutionary war, or her order, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, eighteen hundred and fifty-six, and half yearly thereafter on the first day of January and July.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 21.

A N A C T

In relation to the appointment of Collectors of State and County Taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

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the county commissioners of the several counties in this commonwealth, who have the power to appoint collectors of state and county taxes, may do so without being confined in their selection to the persons whose names may be returned by the assessors, anything in the act passed the fifteenth day of April, eighteen hundred and thirty-four, entitled "An Act relating to county rates and levies, and township rates and levies," to the contrary notwithstanding.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini, one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 22.

A SUPPLEMENT

To an act to reduce the expenses of Collecting Taxes in the counties of Washington and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in addition to the compensation allowed to county treasurers by the act of assembly, approved the eighth day of May, Anno Domini eighteen hundred and fifty-five, entitled "An Act to reduce the expenses of collecting taxes in the counties of Washington and Greene," the said treasurers be allowed to retain out of the state tax five per centum on the whole amount by them respectively received and paid over, in consideration of their services as collectors.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 23.

AN ACT

To change the place of holding the General, Borough, Township and Special Elections of the Borough of Orwigsburg, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the general, township, borough and special elections of the borough of Orwigsburg, in the county of Schuylkill, shall be held at the public house of Daniel Boyer, in said borough.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 24.

AN ACT

To authorize the American Steamship Company to wind up and settle their affairs, and distribute their assets among the stockholders.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever the stockholders of the American steamship company, To wind up. as a corporate meeting duly convened, shall duly authorize and instruct the board of directors of said company, it shall be lawful for the said board of directors to proceed, with all convenient speed, to close the business, and to liquidate, settle and wind up all the concerns of the said company.*

SECTION 2. *That whenever the authority aforesaid shall be given, it shall be lawful for the said board of directors to collect all the debts and other assets of the said company, and to sell and convert into money all the property belonging to the same, not so converted, or any part thereof, at public or private sale, for such price as they shall deem reasonable, and to make and execute all deeds and other writings necessary thereto.* Pay debts, &c.

SECTION 3. *That whenever all the said debts and other assets shall be collected and property sold, and the money therefor* Divide surplus.

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received, all the expenses and all the debts of the said company shall be first paid, and the balance be divided among the stockholders, and paid to them or their legal representatives, in proportion to the amount of stock they respectively hold.

Charter continued

SECTION 4. That the charter of the said company shall continue, and the direction be kept up according thereto, until a final dividend of the assets shall be made as aforesaid, and then the charter and the said company shall be deemed and taken to be extinct.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 25.

A N A C T

To provide for the Payment of the Expenses of Publication of the Pennsylvania School Architecture.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay, out of any money in the treasury not otherwise appropriated, the expenses incurred for the publication of the "Pennsylvania School Architecture," in conformity with the requirements of the forty-fifth section of an act, entitled "An Act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, one thousand eight hundred and fifty-four: *Provided,* That the bills rendered on account of said expenses shall be first approved by the superintendent of common schools, and settled in the usual manner.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The second day of February, Anno Domini, one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 26.

A FURTHER SUPPLEMENT

To the act, entitled "An Act to incorporate the Lebanon Valley Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lebanon Valley railroad company be and hereby is authorized to increase the capital stock of said company to fifty thousand shares, of fifty dollars each; and also, that the directors of said company be and they are hereby authorized to borrow such sum or sums of money as they may deem necessary for the completion and equipment of said road, not exceeding one million five hundred thousand dollars, and issue therefor the bonds of the said company, secured by mortgage upon the said road: *Provided,* That such bonds shall not be issued for sums less than one thousand dollars, nor bear a greater rate of interest than seven per cent. per annum, and may be convertible into stock at par, if such course be deemed advantageous to said company: *Provided further,* That the said company shall not use any part of the money borrowed under this act, for any other purpose than the completion and equipment of their road, nor shall they extend their road by a branch northward or westward of Harrisburg: *Provided also,* That nothing shall preclude the legislature from exercising, at any time hereafter, the right of imposing taxes upon tonnage and passengers transported thereon.

Capital increased

May borrow money.

May issue bonds.

Interest.

Proviso.

Location of road restricted.

Proviso.

SECTION 2. That whenever the said railroad company shall find it necessary to change the site of any portion of any turnpike or public road, street, lane or alley, they shall cause the same to be re-constructed forthwith, at their own proper expense, on the most favorable location, and in as perfect a manner as the original road: *Provided,* That the damages incurred in changing the location of any road authorized by this section, shall be ascertained and paid by the company, in the same manner as is provided for in regard to the location and construction of their own road: *Provided also,* That the said company shall, within six months after the making of such alterations, report a draft and description of the same to the court of quarter sessions of the county wherein the said road is located, whereupon so much of the route as may have been altered and supplied shall be vacated.

Change of roads.

Damages.

Proviso.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 27.

AN ACT

Supplementary to an act relating to the Survey of Tioga Village.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the tenth section of the act of assembly, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty, authorizing a survey of Tioga village, be altered and amended, by substituting Charles H. Seymour in place of A. C. Bush: And provided, That each of said commissioners shall receive, from the township funds of Tioga, the sum of three dollars per day for each day necessarily spent by him in examining records, making said survey and plot, and erecting said corner-stone; and also, such further sum as they, or either of them, may pay for the purchase of said stone and the recording of said plot.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 28.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to encourage the Manufacture of Iron with Coke or Mineral Coal, and for other purposes," approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Buck Mountain coal company be and they are hereby authorized to increase their capital stock three hundred and fifty thousand dollars: Provided, That said increase of capital stock shall be first approved of by a majority of the stockholders, at a meeting called for that purpose: And provided further, That the said company pay to the state treasurer, for the use of the commonwealth, a tax of one-half of one per cent. on the said*

increase of their capital stock, in four equal annual instalments, from the time the same may be created.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 29.

A N A C T

Changing the place of holding Elections in the township of Clifford, in Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of Clifford township, in the county of Susquehanna, shall hereafter hold their general and township elections at the house now occupied by George Plamer, in said township.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 30.

A N A C T

Relative to a Tax on Dogs in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act passed the twenty-seventh March, Anno Domini one thousand eight hundred and fifty-five, laying a tax on dogs in*

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said county, be and the same is hereby repealed, and that such taxes already levied shall not be collected.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 31.

A N A C T

For the relief of Eleanor M'Elwain.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay Eleanor M'Elwain, of Armstrong county, widow of Robert M'Elwain, a soldier in the Indian war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and payable half yearly thereafter, on the first day of January and July.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 32.

A SUPPLEMENT

To an act, entitled "An Act for the Regulation and Government of the Montgomery County Prison; to incorporate the Catfish, Brady's Bend and Butler Plank Road Company; and in relation to the Easton Water Company," approved the twenty-eighth day of April, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the third section of the act of which this is a supplement, in addition to the cases therein specified, shall extend to persons confined in the Montgomery county prison, under sentence by the court to pay a fine and costs of prosecution, or costs only, when no definite term of imprisonment is designated in the sentence: *Provided,* That such persons shall not be discharged until they have been confined three months under such sentence.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 33.

AN ACT

Relative to Notaries Public.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any person heretofore appointed, or who shall hereafter be appointed a notary public, and whose commission shall direct him to reside in any city or borough in any of the counties of this commonwealth, in which any said city or borough may be located, to have his domicil in any part of said

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county: *Provided*, That he shall keep an office in the said city or borough named in his commission.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 34.

AN ACT

Supplementary to an act, entitled "An Act to incorporate the Northern Liberties Gas Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Northern Liberty gas company be and is hereby increased to the sum or amount of four hundred thousand dollars, to be divided into shares of twenty-five dollars each, and to be disposed of in such manner and at such times as the trustees of the said company may deem necessary: Provided, That the whole of the capital stock of the said company so increased shall be subject to all the terms, provisions and conditions contained in the original act, to which this is a supplement, and its supplements, and to the right of the city of Philadelphia to purchase the works and property of said company, as provided by said act: And provided further, That no part of said increased capital stock shall be used in the extension of the works or pipes of said company, until any surplus or reserved fund held by them shall be first applied to that purpose.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 35.

AN ACT

For the relief of Margaret Lyons, of Indiana county, Pennsylvania, widow of a Soldier of the Indian Wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay to Margaret Lyons, widow of Alexander Lyons, late of Indiana county, deceased, a widow of a soldier of the Indian wars, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during life, payable half yearly, to commence on the first day of January last past.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 36.

AN ACT

Relative to the Shawnee Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Shawnee iron company to issue bonds, in sums not less than one hundred dollars each, bearing interest at six per centum per annum, payable semi-annually, and sell the same for a less price than the par value thereof, any law to the contrary notwithstanding: Provided, That the amount of bonds so issued and remaining unpaid shall not at any time exceed two hundred thousand dollars, and that the aggregate indebtedness of said company, including all said bonds so issued and remaining unpaid, shall not at any time exceed the amount of the capital stock of the company paid in: And provided further, That said issue of bonds shall be first authorized by a majority of the stockholders, at a meeting specially called for that purpose: And provided, That said company shall pay a tax of*

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one-half of one per cent. on said increase of stock, payable in four equal annual instalments.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 37.

AN ACT

To incorporate the Lock Haven and Flemington Plank Road and Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. William Fearon, Jr., J. W. Quiggle, L. A. Mackey, M. M. Wheelock, C. A. Mayer, David Carskaddon, Joseph M. Quiggle, Benjamin Myers and Jacob Brown, of the county of Clinton, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize
style. a company, by the name, style and title of "The Lock Haven and Flemington plank road and turnpike company," with power
Route. to construct a plank road and turnpike road, or either, or partly plank and partly turnpike, from the intersection of Mill street with Main street, in the borough of Lock Haven, to a point at or near the bridge across the Bald Eagle creek, in the township of Allison, by the nearest and best route, as may be agreed upon
Subject to. by the directors of said company, subject to the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall consist of twelve thousand dollars, in shares of twenty dollars each :
Capital stock. *Provided,* That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion they may deem necessary to carry out the true intent and meaning of this act.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 38.

AN ACT

For the relief of Sally Crawl, widow of William Crawl, a Soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to pay Sally Crawl, of York county, widow of William Crawl, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars thereafter, during the term of her natural life, payable half yearly, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-six.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 39.

AN ACT

To repeal an act of Assembly declaring Chartiers creek, in the county of Washington, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any act or acts of assembly now in force, declaring Chartiers creek a public highway, be and the same are hereby repealed, so far as relates to said creek, from its head waters to the borough of Canonsburg, in the county of Washington.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

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received, all the expenses and all the debts of the said company shall be first paid, and the balance be divided among the stockholders, and paid to them or their legal representatives, in proportion to the amount of stock they respectively hold.

Charter con-
tinued

SECTION 4. That the charter of the said company shall continue, and the direction be kept up according thereto, until a final dividend of the assets shall be made as aforesaid, and then the charter and the said company shall be deemed and taken to be extinct.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 25.

AN ACT

To provide for the Payment of the Expenses of Publication of the Pennsylvania School Architecture.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay, out of any money in the treasury not otherwise appropriated, the expenses incurred for the publication of the "Pennsylvania School Architecture," in conformity with the requirements of the forty-fifth section of an act, entitled "An Act for the regulation and continuance of a system of education in common schools," approved the eighth day of May, one thousand eight hundred and fifty-four: *Provided,* That the bills rendered on account of said expenses shall be first approved by the superintendent of common schools, and settled in the usual manner.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of February, Anno Domini, one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 26.

A FURTHER SUPPLEMENT

To the act, entitled "An Act to incorporate the Lebanon Valley Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lebanon Valley railroad company be and hereby is authorized to increase the capital stock of said company to fifty thousand shares, of fifty dollars each; and also, that the directors of said company be and they are hereby authorized to borrow such sum or sums of money as they may deem necessary for the completion and equipment of said road, not exceeding one million five hundred thousand dollars, and issue therefor the bonds of the said company, secured by mortgage upon the said road: *Provided*, That such bonds shall not be issued for sums less than one thousand dollars, nor bear a greater rate of interest than seven per cent. per annum, and may be convertible into stock at par, if such course be deemed advantageous to said company: *Provided further*, That the said company shall not use any part of the money borrowed under this act, for any other purpose than the completion and equipment of their road, nor shall they extend their road by a branch northward or westward of Harrisburg: *Provided also*, That nothing shall preclude the legislature from exercising, at any time hereafter, the right of imposing taxes upon tonnage and passengers transported thereon.

Capital increased

May borrow money.

May issue bonds.

Interest.

Proviso.

Location of road restricted.

Proviso.

SECTION 2. That whenever the said railroad company shall find it necessary to change the site of any portion of any turnpike or public road, street, lane or alley, they shall cause the same to be re-constructed forthwith, at their own proper expense, on the most favorable location, and in as perfect a manner as the original road: *Provided*, That the damages incurred in changing the location of any road authorized by this section, shall be ascertained and paid by the company, in the same manner as is provided for in regard to the location and construction of their own road: *Provided also*, That the said company shall, within six months after the making of such alterations, report a draft and description of the same to the court of quarter sessions of the county wherein the said road is located, whereupon so much of the route as may have been altered and supplied shall be vacated.

Change of roads.

Damages.

Proviso.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

said county, be and the same is hereby repealed, and that such taxes already levied shall not be collected.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 31.

AN ACT

For the relief of Eleanor M'Elwain.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay Eleanor M'Elwain, of Armstrong county, widow of Robert M'Elwain, a soldier in the Indian war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and payable half yearly thereafter, on the first day of January and July.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 32.

A SUPPLEMENT

To an act, entitled "An Act for the Regulation and Government of the Montgomery County Prison; to incorporate the Catfish, Brady's Bend and Butler Plank Road Company; and in relation to the Easton Water Company," approved the twenty-eighth day of April, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the third section of the act of which this is a supplement, in addition to the cases therein specified, shall extend to persons confined in the Montgomery county prison, under sentence by the court to pay a fine and costs of prosecution, or costs only, when no definite term of imprisonment is designated in the sentence: *Provided,* That such persons shall not be discharged until they have been confined three months under such sentence.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 33.

AN ACT

Relative to Notaries Public.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any person heretofore appointed, or who shall hereafter be appointed a notary public, and whose commission shall direct him to reside in any city or borough in any of the counties of this commonwealth, in which any said city or borough may be located, to have his domicile in any part of said

LAWS OF PENNSYLVANIA,

county: *Provided*, That he shall keep an office in the said city or borough named in his commission.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 34.

AN ACT

Supplementary to an act, entitled "An Act to incorporate the Northern Liberties Gas Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Northern Liberty gas company be and is hereby increased to the sum or amount of four hundred thousand dollars, to be divided into shares of twenty-five dollars each, and to be disposed of in such manner and at such times as the trustees of the said company may deem necessary: Provided, That the whole of the capital stock of the said company so increased shall be subject to all the terms, provisions and conditions contained in the original act, to which this is a supplement, and its supplements, and to the right of the city of Philadelphia to purchase the works and property of said company, as provided by said act: And provided further, That no part of said increased capital stock shall be used in the extension of the works or pipes of said company, until any surplus or reserved fund held by them shall be first applied to that purpose.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 35.

A N A C T

For the relief of Margaret Lyons, of Indiana county, Pennsylvania, widow of a Soldier of the Indian Wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay to Margaret Lyons, widow of Alexander Lyons, late of Indiana county, deceased, a widow of a soldier of the Indian wars, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during life, payable half yearly, to commence on the first day of January last past.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 36.

A N A C T

Relative to the Shawnee Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Shawnee iron company to issue bonds, in sums not less than one hundred dollars each, bearing interest at six per centum per annum, payable semi-annually, and sell the same for a less price than the par value thereof, any law to the contrary notwithstanding: *Provided,* That the amount of bonds so issued and remaining unpaid shall not at any time exceed two hundred thousand dollars, and that the aggregate indebtedness of said company, including all said bonds so issued and remaining unpaid, shall not at any time exceed the amount of the capital stock of the company paid in: *And provided further,* That said issue of bonds shall be first authorized by a majority of the stockholders, at a meeting specially called for that purpose: *And provided,* That said company shall pay a tax of

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one-half of one per cent. on said increase of stock, payable in four equal annual instalments.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 37.

AN ACT

To Incorporate the Lock Haven and Flemington Plank Road and Turnpike Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Fearon, Jr., J. W. Quiggle, L. A. Mackey, M. M. Wheelock, C. A. Mayer, David Carskaddon, Joseph M. Quiggle, Benjamin Myers and Jacob Brown, of the county of Clinton, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of "The Lock Haven and Flemington plank road and turnpike company," with power to construct a plank road and turnpike road, or either, or partly plank and partly turnpike, from the intersection of Mill street with Main street, in the borough of Lock Haven, to a point at or near the bridge across the Bald Eagle creek, in the township of Allison, by the nearest and best route, as may be agreed upon by the directors of said company, subject to the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.

Style.

Route.

Subject to.

Capital stock. SECTION 2. That the capital stock of said company shall consist of twelve thousand dollars, in shares of twenty dollars each: *Provided,* That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion they may deem necessary to carry out the true intent and meaning of this act.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 38.

AN ACT

For the relief of Sally Crawl, widow of William Crawl, a Soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby authorized and required to pay Sally Crawl, of York county, widow of William Crawl, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars thereafter, during the term of her natural life, payable half yearly, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-six.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 39.

AN ACT

To repeal an act of Assembly declaring Chartiers creek, in the county of Washington, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any act or acts of assembly now in force, declaring Chartiers creek a public highway, be and the same are hereby repealed, so far as relates to said creek, from its head waters to the borough of Canonsburg, in the county of Washington.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 40.

A FURTHER SUPPLEMENT

To an act to incorporate the American Academy of Music, approved twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-two.

Preferred stock
created.

Dividends.

Proviso.

Proviso.

Privileges of holders.

Vacancies in board.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the board of directors of the American academy of music, by and with the advice and consent of a majority, in number and value, of the stockholders thereof, who shall be present at a meeting convened for the purpose, by said board of directors, after ten days' notice in at least two daily newspapers published in the city of Philadelphia, setting forth the object of the said meeting, to create one thousand shares of stock, of one hundred dollars each, which shall be deemed as taken to be preferred stock, and may be disposed of by the said board of directors at not less than the par value thereof.

SECTION 2. That the holders of such preferred stock shall be entitled to receive dividends out of the net profits of the corporation, for each year, to an amount not exceeding eight per centum on the par value of the shares held by them, before a dividend whatever shall be paid on the common stock of said corporation, and they shall have the privilege of exchanging their said preferred stock into the said common stock, with all the rights and privileges enjoyed by the common stockholders, whenever they may elect so to do: *Provided however,* That no dividend shall be declared upon either stock until all the current expenses, repairs, ground rents, interest upon debts and outlays incident to a proper administration of the affairs of said corporation, shall have been first paid or provided for from receipts: *Provided also,* That in case the full dividend of eight per centum on the said preferred stock shall not have been earned in any year, no dividend shall be paid on the common stock until the whole arrears of the said dividend of eight per centum on the preferred stock shall have been paid to the holders thereof, out of the subsequent net profits of the corporation.

SECTION 3. That the holders of the said preferred stock shall be subject to all the duties and obligations, and shall enjoy the rights and privileges given to the common stockholders, excepting the right of free admission to the house, as regulated by the proviso to the second section of the act to which this is a supplement.

SECTION 4. That in case of any vacancy occurring in the said board of directors, it shall be lawful for the remaining members to fill the same by the appointment of a stockholder to serve as director until the next annual election of the corporation.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

No. 41.

A N A C T

To incorporate the M'Kean and Elk Land and Improvement company.

WHEREAS, Samuel M. Leiper died seized of an undivided fourth part of a large body of unimproved lands in the counties of Elk and M'Kean, in this commonwealth, and entitled to receive a fourth part of the proceeds of a sale of said lands under an executory agreement, which by reason of the failure of the contracting parties to pay, was afterwards rescinded :

Preamble.

And whereas, The other owners of said lands are desirous of converting their respective interests therein into the capital stock of a corporation hereby established :

And whereas, The interests of the widow and heirs of the said Samuel M. Leiper would be greatly injured by the sale of said lands under proceedings in partition, which are now threatened by the other owners, and inasmuch as the executors of the said Samuel M. Leiper have no authority in law to convey the same to the said corporation, and receive, as the other owners are about to do, payment in the stock of said corporation ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William A. Irvine, trustee of Samuel M. Leiper, or John K. Kane and others, executors of the said Samuel M. Leiper, be and they are hereby authorized to sell and convey, by good and sufficient deeds in fee simple or otherwise, to the company hereinafter incorporated, all their said undivided interest and estate, whether it be personal or real, which he the said Samuel M. Leiper held in his lifetime to the said lands, or which they now hold, and to receive in payment therefor the stock of said corporation, and to sell said stock, or any part thereof, and convert the proceeds thereof into other securities at their discretion: *Provided*, That the same shall be held by them in the same manner, and for the same purposes and trusts, as the said lands or their interests therein are now held.

Certain conveyances authorized.

Payments.

Proviso.

SECTION 2. That Henry M. Watts, John K. Kane, Frederick Fraley, John C. Cresson, Samuel Mason, John Livezey, Joseph Cresson, Jeremiah Hacker, Mordecai L. Dawson, Samuel Welsh, James R. Greeves, J. Pemberton Hutchinson, William Biddle, Thomas Struthers, and the executors of Samuel M. Leiper, deceased, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, under the name, style and title of the M'Kean and Elk land and improvement company, by which name the said corporators shall have perpetual succession, and enjoy all the privileges, incidents and franchises usually pertaining to a corporation, and not inconsistent with the powers and duties hereinafter set forth.

Corporators.

Style.

SECTION 3 That the above named persons, or such of them as by signature accept this charter, shall meet as soon as convenient, after the passage of this act, and after giving reasonable notice of the time and place of a future meeting, for

Organisation.

	the purpose of considering the provisions of this act; and in case of the acceptance of the same, shall proceed to elect, by ballot, seven of their number to serve as directors for the term of one year thereafter, and until their successors shall be duly elected, and annually thereafter, at such time and place as shall be appointed by the directors, to serve for one year, and until their successors shall be duly elected, and each share of stock shall entitle the holder thereof to one vote. The directors so chosen shall elect one of their number as president of the corporation and all other officers and agents of the corporation shall be elected and appointed as shall be prescribed by the by-laws. Upon notice of the acceptance of the provisions of this act, and of the due organization of the corporation to the governor of this commonwealth, there shall be granted, in the usual form prescribed by law, letters patent to the said corporators.
Officers.	
Letters patent.	
May make a common stock.	SECTION 4. That it shall be lawful for the said corporation to have and to hold all the lands now owned and in possession of the said corporators herein named, who shall accept this charter, in the counties of M'Kean and Elk, in this commonwealth and the same to value and convert into a common stock, which shall forthwith be divided into a convenient number of shares so as to apportion the same among the aforesaid owners, according to their respective interests in the said lands, and for which shares certificates of stock shall be issued to each of them signed by the president, with the corporate seal thereto affixed and attested by the treasurer; such certificates shall be issued and made transferable, as the directors may prescribe by their by-laws, and the shares of stock so created shall, for all purposes, be deemed and treated as personal estate.
Certificates for.	
Sale of lands.	SECTION 5. That it shall be the duty of the directors to grant bargain and sell the said lands, in such quantities and at such prices as may be agreed upon betwixt them and any purchaser or purchasers thereof, and to receive any moneys, mortgages or other securities, including the certificates of stock of this corporation, in payment of the same, and to cause the president to sign and affix the corporate seal, attested by the treasurer, to any covenant, deed or other assurance necessary in law for granting title to the same, as often as all or any portion of said lands are sold or otherwise disposed of: <i>Provided</i> , That the said corporation shall sell and dispose of at least one-half of all their lands within ten years, and the remainder, except two thousand acres thereof, within twenty years from the date hereof.
Proviso.	
Powers and privileges.	SECTION 6. That it shall be lawful for the said corporation to demise and let, for a period or periods together not exceeding twenty years, to such person or persons as may apply for the same, and upon such terms as may be agreed upon, any of the said lands, and the right and privilege of mining, taking and carrying away the iron ore, coal and other minerals and materials from the said lands, and to aid in the development of the minerals and other materials, the use and transportation of them to market, and to promote the clearing and settlement of the country; it shall be lawful for the said corporation to employ their capital in constructing such railways, not exceeding twenty miles in length, as may be necessary from such mines, to intersect the Sunbury and Erie railroad, or the Allegheny Valley railroad, subject nevertheless to the general law relating to the construction of railroads. The said company is hereby authorized to create a capital stock of one hundred thousand dollars,
Capital stock.	

for the purposes specified in this section, and shall pay to the commonwealth a tax of one-half of one per centum on said amount, in four equal annual instalments, the first instalment to be paid in one year from the date of the organization of the company.

SECTION 7. That all moneys, mortgages and other securities or the payment of money shall be paid and delivered to the treasurer, who shall have the custody of the same, and keep an accurate account thereof, in such book or books as may be provided for the purpose, he giving such security for the faithful performance of his duties as may be required by the by-laws. Dividends of the proceeds of sales of lands and other moneys shall be made among the shareholders, as often as it shall seem advisable to the directors, and at least once in every year, and when the proceeds of the sale of lands are paid to the holders of certificates of stock, such certificates of stock shall be surrendered to the said corporation and cancelled, and new certificates issued according to an uniform rule of equitable adjustment of the rights of the shareholders, to be established by the by-laws, so that whenever the whole of said lands shall have been sold, the certificates representing the same shall have been entirely exhausted and cancelled.

SECTION 8. That it shall be lawful for the said directors, or a majority of them, and of whom a majority shall constitute a quorum, to adopt a common seal, with appropriate device, for the use of said corporation, and the certificates of stock, and other official acts of the corporation, shall be authenticated by signing the same, and to enact such by-laws and regulations as may be expedient for conducting and regulating the affairs of said corporation: *Provided*, That the same shall not be inconsistent with the constitution and laws of this commonwealth.

SECTION 9. That the legislature reserves the right to amend or repeal this act, if the same shall hereafter be considered incompatible with the general good of the commonwealth, but in such wise, nevertheless, as to do no injustice to stockholders, grantees and lessees of the said lands.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 42.

A FURTHER SUPPLEMENT

To an act authorizing the Governor to incorporate the Mahoning, Kittanning and Freeport Turnpike Road Company, and for other purposes approved the second day of April, one thousand eight hundred and thirty-eight.

- Vacancies, how filled.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That vacancies occurring by the death, resignation or otherwise of any of the officers of the Kittanning bridge company, shall be supplied by appointments, made by the managers of the company remaining in office, until the succeeding election.
- Height of bridge.** SECTION 2. That the bridge now being built by the said company shall, at its abutments, be at least as high above the surface of the water as the Kiskiminetas aqueduct, and at an intermediate point in the channel of the river, to be at least four feet higher.
- Subject to.** SECTION 3. That the provisions contained in the sixty-ninth, seventieth, seventy-first, seventy-second, seventy-fourth and seventy-fifth sections of an act, entitled "An Act relating to roads, highways and bridges," approved the thirteenth day of June, one thousand eight hundred and thirty-six, shall be applicable to the bridge of the Kittanning bridge company, except that all fines and penalties which may be incurred under the provisions of this act, may be recoverable in the name of said company, and shall be for its sole use.
- Repeal.** SECTION 4. That the fifty-first section of the act to which this is a supplement, and all acts of assembly inconsistent herewith, are hereby annulled and repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 43.

AN ACT

For the relief of Margaret Buckhart, the widow of John Buckhart, a Soldier of the Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay Margaret Buckhart, of Butler county, the widow of John Buckhart, a soldier of the Indian war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-six, and payable half yearly thereafter on the first day of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.
WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 44.

AN ACT

For the relief of Margaret Ferguson, of Indiana county, widow of a Soldier of the Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay to Margaret Ferguson, widow of James Ferguson, late of Indiana county, a widow of a soldier of the Indian wars, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during life, payable half yearly, to commence on the first day of January last past.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.
WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 45.

AN ACT

For the relief of Catharine Leonard, widow of a Soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the state treasurer is authorized and required to pay Catharine Leonard, of Lancaster county, widow of George Leonard, a soldier of the Revolutionary war, or her order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and half yearly thereafter, on the first day of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 46.

AN ACT

To vest in Christian L. Hershey, the right and title of the Commonwealth to certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any and all right and title which the commonwealth may have acquired, or may hereafter acquire by virtue of the act of the general assembly of this commonwealth, passed the sixth day of April, Anno Domini one thousand eight hundred and thirty-three, entitled "An Act relating to the escheat of lands held by incorporations without the license of the commonwealth," or otherwise, in and to the two several tracts of land situate in East Hempfield township, Lancaster county, conveyed by James Phalen unto Christian L. Hershey, of the aforesaid township and county, containing respectively ninety-seven acres and one hundred and thirty-two perches and seven acres, be and the

same are hereby vested fully and effectually in the said Christian L. Hershey, his heirs and assigns forever.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 47.

AN ACT

To authorize the Pennsylvania Railroad Company to purchase and hold certain Real Estate in the city of Pittsburg.

WHEREAS, An agreement was made on the twenty-second day of February, one thousand eight hundred and fifty-four, for the purchase by said company of a certain lot of ground on Liberty street, in the city of Pittsburg, on which was erected Saint Patrick's Roman Catholic church, and part of which was used as a burying ground:

And whereas, It has become necessary for the vesting of an indisputable title to said lot that the legislature shall authorize proceeding to this end; now for the quieting of all such doubts, and to enable the company to take and hold said property,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania railroad company shall have the right, by the true intent and meaning of their charter and the several supplements thereto, to appropriate, hold and use the said described lot of ground, with the appurtenances, and to erect and establish depots and warehouses thereon, in like manner and to the same extent as if for the route of the road itself, and so much of the said charter and supplements thereto as prohibits them from so appropriating any burying ground or place of public worship, be and the same is hereby repealed, so far as is concerned the lot of ground on Liberty street, in the city of Pittsburg, lately used for Saint Patrick's Roman Catholic church and burying ground: *Provided*, That no entry shall be actually made on said ground until the bodies interred therein shall have been removed, under the sanction of the Roman Catholic Bishop of Pittsburg: *And provided further*, That the compensation to be paid by said company for said premises shall be paid to the trustee now in possession of said premises, to be by him held and applied upon the same trusts wherewith said premises are charged, and upon such payment to the trustee aforesaid, the said

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railroad company shall be discharged from all liability in respect to the application thereof, and shall hold the said premises free and discharged of all trusts whatever.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 48.

AN ACT

Supplementary to an act to incorporate the Marticville Turnpike Road Company; authorizing the Sunbury Canal Company to hold certain land relative to the Erie Cemetery; to Hawking and Peddling in Jefferson county; for the relief of Charles Witman, approved the eighteenth day of April, A. D. one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Marticville turnpike road company, when organized, be and the same hereby are authorized to extend their road to the York Furnace bridge, at the Susquehanna river, subject to the provisions and restrictions contained in the act to which this is supplement.

SECTION 2. That the said company may connect with the Willow Street turnpike road, at any point between the Lamertown tavern and the Conestoga bridge.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 49.

AN ACT

Authorizing the qualified voters of Butler township, in the county of Schuylkill, to elect two Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall be lawful, at their annual township elections, for the qualified electors of the township of Butler, in the county of Schuylkill, to elect two supervisors: Provided, That in case a failure occurs to elect two supervisors for the year of eighteen hundred and fifty-six, the court of quarter sessions in and for the said county be and is hereby authorized and empowered to fill such vacancy by appointment, at its next meeting immediately after the election for township officers in said township, for the said year of eighteen hundred and fifty-six.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 50.

AN ACT

Relating to the entry of Judgments in Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the eleventh section of a supplement to an act incorporating the society known by the name of the First Baptist church of Bridgeport, in the county of Montgomery; relative to the Lime Kiln turnpike road company; to the Chester Valley railroad; to entering judgments; and to the West Chester and Philadelphia railroad company, approved the twenty-third*

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railroad company shall be discharged from all liability in respect to the application thereof, and shall hold the said premises free and discharged of all trusts whatever.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 48.

AN ACT

Supplementary to an act to incorporate the Marticville Turnpike Road Company; authorizing the Sunbury Canal Company to hold certain land: relative to the Erie Cemetery; to Hawking and Peddling in Jefferson county; for the relief of Charles Witman, approved the eighteenth day of April, A. D. one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Marticville turnpike road company, when organized, be and the same hereby are authorized to extend their road to the York Furnace bridge, at the Susquehanna river, subject to the provisions and restrictions contained in the act to which this is a supplement.

SECTION 2. That the said company may connect with the Willow Street turnpike road, at any point between the Lamb tavern and the Conestoga bridge.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 49.

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RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 50.

AN ACT

Relating to the entry of Judgments in Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the eleventh section of a supplement to an act incorporating the society known by the name of the First Baptist church of Bridgeport, in the county of Montgomery; relative to the Lime Kiln turnpike road company; to the Chester Valley railroad; to entering judgments; and to the West Chester and Philadelphia railroad company, approved the twenty-third

No. 53.

A SUPPLEMENT

To an act authorizing the laying out a State Road leading from Reimersburg, in Clarion county, to the mouth of Mohoning creek, in Armstrong county, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert D. Lawson, of Clarion county, be and he is hereby appointed a commissioner in the place of George W. Arnold, as provided in the first section of said act, and that the time specified in the second section for the return of the survey of said road be and it is hereby extended to the first of September, one thousand eight hundred and fifty-six: *Provided,* That if either of the commissioners appointed to view and lay out said road shall perform the duties of surveyor, he shall be entitled to receive an additional compensation of one dollar per day for each and every day he shall be employed in surveying said road.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 54.

AN ACT

For the Security of certain Transporters on the Public Works of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the encouragement and security of individual transporters upon the main line of the public works, the faith of the commonwealth is hereby pledged to such transporters, that in case of the sale of the said main line, or any part thereof, the boats and cars of such transporters hereafter placed upon and used on said main line, or upon a part thereof, so sold, shall be taken, if the owners thereof so desire, by the purchaser or purchasers

of said main line, or part thereof, as the case may be, at a fair cash valuation, to be ascertained in such manner as the legislature may hereafter provide, as a condition of such sale.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 55.

A N A C T

To incorporate the Lewistown and Stone Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Cummings, senior, Henry Lee, Robert Johnson, John M. Smith, John Oakes, William Smith, of Huntingdon county, and Robert M'Burney, Robert Campbell, John Henry, William Cummings, George W. M'Williams and John A. Wright, of Mifflin county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Lewistown and Stone Valley turnpike road company, with power to construct a turnpike or other artificial road, commencing at any point on the West Kishacoquillas Valley turnpike road, in Mifflin county, thence by the nearest and best route to a point on the public road at or near M'Alevy's fort, in Stone valley, Huntingdon county, and to locate the same on any public or state road, or roads already laid out, if they desire to do so, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved on the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of the said company shall consist of four hundred shares of fifty dollars each: *Provided,* That the said company may from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such an amount as, in their opinion, may be required to complete the road according to the true intent and meaning of this act.

SECTION 3. That said company shall commence the construction of said road within two years, and complete it within six years from the passage of this act, or else it shall be null and

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void, except so far as the same may be necessary to wind up the affairs, and pay the debts of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 56.

AN ACT

For the laying out and opening of Reigart Street, in the city of Lancaster.

Court to appoint commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the court of quarter sessions of Lancaster county is hereby authorized and required to appoint commissioners to lay out a new street within the limits of the city of Lancaster, to be called "Reigart street," to commence at a point on the south-west side of Church street, where a fourteen feet wide alley commences; thence along and over said alley southward, to High street; thence through improved land of Jacob Gable, Jr., and others, to a point on the north-eastern side of a road leading from the city of Lancaster to the borough of Strasburg, commonly called the "Factory road."

To be sworn. SECTION 2. That the said commissioners, or a majority of them, having first taken an oath before an alderman of the city of Lancaster, to perform the duties enjoined upon them by this act, with fidelity and impartiality, shall proceed, as soon after the passage of this act as convenient, to attend to the duties specified in the preceding section of this act, if in the opinion of a majority of them, said "Reigart street" ought to be laid out and opened, as designated in the preceding section, they shall lay out the same of the width of not less than forty feet, the south-western boundary to be the same as the south-western boundary of said alley is at present, and to be continued at that course in a straight line to said Factory road, and shall make a draft or plot of said "Reigart street," so laid out to be opened by its courses and distances, and make return of the same, under the hands and seals of a majority of them, to the court of quarter sessions of the peace of Lancaster county, to be entered on record; and thereupon the said street so laid out shall become a public highway, and it shall be the duty of the street commissioner of the city of Lancaster to proceed forthwith to open the same.

Their duties.

SECTION 3. That the court of quarter sessions of Lancaster county, on the petition of any owner of land through which he said street shall be extended and opened, representing that he or she has sustained damage thereby, shall proceed and appoint viewers to appraise the damages, any five of said viewers being present, and any four out of said five may make report, by law to the contrary notwithstanding.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 57.

A FURTHER SUPPLEMENT

an act, entitled "An Act to incorporate the Jeddo and Carbon County Railroad Company," approved the third March, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Jeddo and Carbon County railroad company to extend their railroad so as to intersect with the Lehigh and Susquehanna railroad in Luzerne county, and to extend a branch of their road down the valley of Big Black creek, or so far as may be necessary to accommodate the owners of coal lands in the valley of Big and Little Black creeks, in Luzerne county. *May extend road.*

SECTION 2. That the said company be and they are hereby authorized to run their cars and locomotives on all connecting and continuous railroads, and do transportation business thereon, with the consent of the companies owning the same. *May run other roads.*

SECTION 3. That a majority of the stockholders of said railroad, convened in pursuance of this act, may change the corporate name to "The Lehigh and Luzerne railroad company." *May change name.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

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Prohibition.

SECTION 2. That no street, lane, road, railroad, canal or other highway shall ever be laid out through the grounds of the same, except by the authority or consent of the association.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 66.

AN ACT

Fixing the time of holding the Courts in Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met; and it is hereby enacted by the authority of the same, That the courts of common pleas of Juniata county shall hereafter be holden on the fourth Monday of April, and the first Mondays of September, December and February, and the several terms of the courts of quarter sessions of said county shall continue during the same time as the courts of common pleas: Provided, That when, in the opinion of the judges, the business depending in said county shall not require four courts during the year, for the trial of cases by jury, they may omit awarding a venire for jurors at any one of said terms during the year.*

SECTION 2. All laws or parts of laws which are altered or supplied by or are inconsistent with the preceding section, are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 59.

AN ACT

Authorizing the Auditor General to examine the account of Willard Jackson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and he is hereby authorized and required to examine the claim of Willard Jackson, of Wyoming county, late contractor on the Tunkhannock division of the Pennsylvania canal, and report the facts thereof, at his earliest convenience, to the legislature, specifying the amounts due, if anything.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 60.

AN ACT

To establish a Ferry across the river Delaware, in Upper Mt. Bethel township, Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Decker, his heirs and assigns, being the owners of the land on the west side of the river Delaware, shall have the right and privilege, at their own expense, to make good and convenient landings on the east and west side of Delaware river, at or near Dill's ferry, in the county of Northampton, and county of Warren, New Jersey, and to use the said landings as a public ferry. Ferry authorized.

SECTION 2. That the said George Decker, his heirs and assigns, shall keep the said landings and ferry in good condition and repair, fit for the transportation and passage of persons and property, horses and other animals, wagons, carriages and other vehicles, and shall keep good and substantial boats, and other necessary crafts, and competent and skillful ferrymen, who shall constantly, as occasion may require, attend for the purpose of To be kept in good order.

transporting persons and property, as aforesaid, over the said river, with all reasonable diligence and care.

Tolls.

SECTION 3. That the said George Decker, his heirs and assigns, as a remuneration for keeping up and in good repair the said landings and ferry, shall receive such tolls or ferriage as may be prescribed by the court of quarter sessions of Northampton county, or until so prescribed, such as have been usually charged at the said ferry by the said George Decker, and shall be allowed to stretch and maintain a rope or wire across the said river to facilitate crossing: *Provided*, That the right or privilege shall be obtained of the landholder, or from the state of New Jersey, to fasten or suspend the east end of such rope or wire: *And provided*, That the same shall not obstruct or interfere with the ascending, descending navigation of the said river, and that nothing in this act shall be construed so as to authorize the said George Decker, his heirs and assigns, to receive or discharge any persons or property on lands belonging to any other person or persons, without the consent of the owner or owners thereof.

Proviso.

Proviso.

**Injuries to boats,
&c.**

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope, wire or boats or other property, or shall take from its moorings any boat or craft belonging to said ferry, he, she or they so offending, shall each of them forfeit and pay to the said George Decker, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said George Decker, his heirs and assigns, to be recovered as debts of like amount are by law recoverable.

Prohibition.

SECTION 5. That all persons are hereby prohibited from using the said river, for the purpose of a ferry, for three hundred yards above, and three hundred yards below the said ferry, within the jurisdiction of this state, and any person or persons violating the provisions of this act, shall forfeit and pay to the said George Decker, his heirs and assigns, the sum of fifty cents for every traveler, team, head of cattle, horse or carriage, carried over the said river within the said above named bounds: *Provided*, That nothing in this act contained, shall be construed to prevent persons owning the shore within the said limits, from transporting persons and property free of charge.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 61.

AN ACT

to incorporate a Company to locate and construct a Turnpike Road in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Zachariah Leidy, Joseph Rosenberger, Samuel Frick, Michael Snyder, Samuel Wolf, Chalkley J. Kimble, John H. Mathias, Artemas T. Rowland, John Snyder, Jacob Wiser, Charles Bruner, Henry Albright, Andrew J. Hines, George Markley, Francis Hartman, Henry A. Moyer, John S. Moyer, Andrew Schlichter, Levi Cassel, Charles Z. Nace, Charles Seigfried, Samuel M. Hager, Henry Applebach, John C. Margle, George Weisel, Enos Hunsberger, Alrick James, Francis Snyder and Samuel A. Moyer, of Bucks county, Mathias Young, William H. Ball, Jacob Treneig and David Blyler, of Montgomery county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscription to stock and organize a company, by the name, style and title of "The Hilltown turnpike road company," with power to locate and construct a turnpike road, commencing at the Spring House, Northamptontown and Bethlehem turnpike road, at or within three-fourths of a mile above Line Lexington, in the township of Hilltown, and extending thence to a point in the old Bethlehem road, at or near Henry Albright's store, in said township of Hilltown, county of Bucks, with power to extend it further, if said company shall deem it expedient to do so, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same be not inconsistent with any section of this special act.

Commissioners.

Style.

Route.

Subject to.

SECTION 2. That the capital stock of said company shall consist of four hundred and forty shares, of twenty-five dollars each: *Provided,* That said company may, by a vote of the stockholders, increase their capital stock so much as in their judgment may be necessary to carry out the true intent and meaning of this act.

Capital stock.

SECTION 3. That when the said company shall have completed two miles or more of said road they shall have power to erect toll-gates, and receive the same toll per mile as are allowed by the twelfth and thirteenth sections of an act passed the twenty-sixth day of January, one thousand eight hundred and forty-nine.

Toll gates.

SECTION 4. That if said company shall not commence the construction of said road within three years of the passage of this act, and complete the same within five years thereafter, this

Commencement and completion.

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act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 62.

AN ACT

Relative to a certain lot or piece of Ground in the Borough of Harrisburg commonly known as the Presbyterian Burial Ground.

Preamble.

WHEREAS, The English Presbyterian congregation of the borough of Harrisburg, in the county of Dauphin, have had and exercised the exclusive control and authority over a certain piece or parcel of ground in the said borough of Harrisburg, which was appropriated and set apart by John Harris, Esq., deceased, as the "English burial ground," which piece or parcel of ground together with another lot or part of a lot of ground adjoining thereto, purchased by said congregation of William Shannon and wife, by their deed dated November twenty-fourth, Anno Domini one thousand eight hundred and eighteen, for the consideration therein mentioned, has formed, constituted and been known as the English Presbyterian burying ground, in the said borough of Harrisburg:

And whereas, By the increase of population and growth of the borough of Harrisburg said burial ground is now in a central part of said town:

And whereas, The Harrisburg cemetery association has wholly superseded the necessity of a burial ground within the limits of the town, and the remains of the dead are generally removed and being removed from the aforesaid Presbyterian burial ground, and the said ground is no longer required for the purpose originally intended:

And whereas, The business and growth of the town, the interests of society and the general voice of the people require that the aforesaid burial ground shall cease to be used any longer as such, and that the dead therein interred shall be removed to some other place, and the ground appropriated to such other objects as may be deemed best by those having it in charge; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the board of trustees of the English Pres-

byterian congregation of Harrisburg, in the county of Dauphin, and they are hereby authorized and empowered to bargain and sell the aforesaid Presbyterian burial ground, fronting on Meadow lane, and adjoining the burial grounds of the German Reformed and Lutheran congregations, in said borough, and whosoever, to such person or persons, corporation or corporations, as may agree for the purchase of said ground, or any portion of it, for such consideration and on such terms as may be deemed best by the said trustees, and upon such sale or sales to convey, in fee simple, the said lot or parcel of ground, in all or in such parts or portions, when and as often as the said trustees may make sale to the purchaser or purchasers, by deed or deeds executed under the seal of the said congregation, and signed by the president of the board of trustees, and countersigned by the secretary, which deed or deeds shall vest an absolute title in the purchaser or purchasers, and all the right, title or interest in and to the aforesaid burial ground of the said English Presbyterian congregation of Harrisburg, in the county of Dauphin.

Sale authorized.

Deed for.

SECTION 2. That before the sale of the said burial ground, or any part thereof, by the trustees as aforesaid, the dead interred therein shall be removed therefrom, and re-interred, at the expense of the said congregation, in such grave yard as may be selected by the friends or relatives of the dead; but if no such selections be made, then in the present cemetery adjacent to the limits of the said borough of Harrisburg, and any tomb stones belonging to such remains shall be re-set over the same.

Dead to be removed.

SECTION 3. That the purchase money arising from the sale of the said ground, or any part thereof, shall be paid into the treasury of the aforesaid congregation, and after paying out of the same all the expenses incident to the removal of the dead from said grave yard and re-interring the remains in such ground as may have been selected for that purpose, and all other expenses incurred by the said trustees, in order to effect the object herein contemplated, the balance of said purchase money shall be applied to such object or objects of a benevolent or religious character, as shall be directed by a majority of the pew holders of the said congregation, not inconsistent with the purposes of their religious association.

Proceeds of sale

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 63.

AN ACT

For the payment of the claim of Colt and Brobst.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* there is allowed to Colt and Brobst, contractors on the North Branch canal, at the pool of the Nanticoke dam, the sum of sixteen hundred and fifty-nine dollars and sixty cents, for damages caused by a change in the character of their work, under the direction of the engineer upon said line; and that the state treasurer is hereby authorized and required to pay to Samuel D. Brobst, the surviving partner of said firm, thirteen hundred and sixty-two dollars and thirty-two cents of said sum, out of any moneys in the treasury not otherwise appropriated.

SECTION 2. That the auditor general is hereby directed to enter a credit upon the books of his department to the said Samuel D. Brobst, for two hundred and ninety-seven dollars and twenty-eight cents, the balance of the above sum allowed as damages, which credit shall be in full extinguishment of the demand of the commonwealth against the said Brobst; but nothing herein contained shall prejudice or affect any demand of the said Brobst for services as supervisor upon the North Branch canal, but the same shall be adjusted and settled in the usual manner.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 64.

A SUPPLEMENT

To an act relating to Overseers of the Poor in the county of Allegheny, approved March fifteenth, one thousand eight hundred and fifty five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

SECTION 15. That the said trustees shall have power to purchase, have, hold and enjoy to them and their successors, such tract or parcel of land, and other property conveniently situated near the town of Nazareth, for the purpose of using the same to supply the said town with good water, and shall have power to keep the water works, now in use for that purpose, in good repair and full operation, until such time when a company may be formed, and become incorporated by an act of corporation; then, and in that case the said trustees shall have power to sell and transfer the said lands, together with all the improvements, rights, titles, water courses, springs, cisterns and water pipes belonging to the said water works, to the said company, at a price to be fixed by a majority of the male members of the congregation qualified to vote, present at a meeting to be held for that purpose. May erect water works.

SECTION 16. That no enumeration of powers, privileges and duties herein contained, shall be so construed as to exclude others not enumerated, which are necessary to the proper fulfillment of the design and purpose of this act, and not inconsistent with its express provisions and limitations.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 71.

AN ACT

Requiring the State Treasurer to pay Eleanor Jamison certain moneys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby directed to pay to Eleanor Jamison the balance of two hundred and fifty dollars, immediately after the passage of this act, as provided for by the act of the twenty-seventh of April, one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

Prohibition.

SECTION 2. That no street, lane, road, railroad, canal or other highway shall ever be laid out through the grounds of the same, except by the authority or consent of the association.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 66.

AN ACT

Fixing the time of holding the Courts in Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met; and it is hereby enacted by the authority of the same, That the courts of common pleas of Juniata county shall hereafter be holden on the fourth Monday of April, and the first Mondays of September, December and February, and the several terms of the courts of quarter sessions of said county shall continue during the same time as the courts of common pleas: Provided, That when, in the opinion of the judges, the business depending in said county shall not require four courts during the year, for the trial of cases by jury, they may omit awarding a venire for jurors at any one of said terms during the year.*

SECTION 2. All laws or parts of laws which are altered or supplied by or are inconsistent with the preceding section, are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 67.

AN ACT

To repeal an act relative to the appointment of Tax Collectors in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act relative to the appointment of tax collectors in Montgomery county, approved the fifth day of May, one thousand eight hundred and fifty-five, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 68.

AN ACT

Authorizing the Burgess and Town Council of Troy, in Bradford county, to increase their Borough Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Troy, in Bradford county, be and they are hereby authorized annually to assess, levy, collect and expend any amount of taxes they may deem necessary for the benefit and improvement of said borough, to any amount not exceeding ten mills on the dollar of the last adjusted valuation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 69.

AN ACT

Authorizing the Collection of certain Taxes in the borough of Columbus,
Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the road and borough taxes assessed by the borough of Columbus, Warren county, for the year one thousand eight hundred and fifty-three, be and the same are hereby declared legal, and the burgess and council are authorized to collect the same.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini
one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 70.

AN ACT

Incorporating the Congregation of the United Brethren of the town of
Nazareth and its vicinity.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the members of the congregation of United Brethren, commonly called Moravians, of the town of Nazareth and its vicinity, be and the same are hereby created and erected into one body politic and corporate, in deed and in law, by the name, style and title of "The Congregation of United Brethren of the town of Nazareth and its vicinity."*

Incorporation.

Style.

Powers and privileges.

SECTION 2. That the said corporation, by the same name, style and title, shall have perpetual succession, and be able to sue and to be sued, to plead and be impleaded in all courts of law and elsewhere, and shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors, in trust for and also to the use of the said congregation, any lands, tenements, goods and chattels, of whatever kind, nature or quality, real, personal or mixed, which are now or shall

or may at any time hereafter become the property of the said congregation or body politic, by purchase, gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever, capable of making the same, and the same to grant, bargain, sell, improve or dispose of for the use and benefit of the said congregation: *Provided*, That the clear yearly value or income of the estate, real, personal and mixed, of the said congregation, exclusive of the moneys arising from annual stated contributions of the said congregation, and from opening any ground thereto belonging for burials, shall not at any time exceed the sum of eight thousand dollars, nor shall it be lawful for said corporation to hold and enjoy, at any one time, more than three hundred and fifty acres of land, except such lands as shall be purchased at sales upon judgment of any person or body politic, where the same may be necessary to secure any debt due to the said congregation, nor to appropriate any of the surplus funds of the corporation to any other than charitable or religious, or such other purposes as shall expressly be specified in this act.

Income limited.

Land limited.

SECTION 3. That no misnomer of said corporation, or their successors, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, That the intent of the party or parties shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

Requests not to be defeated.

SECTION 4. That the secular business of the said corporation shall be conducted by six trustees, of whom four shall be a quorum, and who shall choose from among their number a president, and shall also appoint a secretary and a treasurer, to serve for the ensuing year, from among the members of the said congregation, qualified to be elected as trustees, according to the fifth section of this act; the secretary shall keep true and correct minutes of the acts and proceedings of the board of trustees, and the treasurer shall receive, disburse and account for all moneys coming into his hands belonging to the said corporation, and shall give security for the faithful performance of the trust reposed in him, and shall have his accounts annually settled by the trustees, to be laid before the congregation, at a meeting convened for that purpose, at least one week before the general annual election; the said trustees may likewise appoint such other officers as they may, from time to time, deem necessary for the proper management of the secular affairs of the congregation, and they may allow such compensation to all officers appointed by them for services rendered, as they may deem just and reasonable, and the said trustees may also, at any time, remove any of the officers appointed by them, and appoint others to supply their place, when, in their opinion, the interests of the congregation require it; the said trustees shall also fix upon the amount of contribution to be paid regularly, yearly or half yearly, by every member of the congregation of twenty-one years of age and upwards, at the rate of not less than fifty cents, and not more than two dollars annually, from any one member, and collect the same, and shall have power to exonerate members on account of their disability to pay, if they deem it just and expedient; and they shall annually inquire, ascertain and report to the board of elders whether any member or members have failed or refused to pay their contribution within the current year, on which report the board of

Business, how managed.

elders shall take such action and make such order as shall by them be deemed expedient and right.

Election of trustees.

SECTION 5. That the first election of trustees under this act, shall be held within six weeks after the same shall have become a law, and shall be conducted by three members of the congregation, to be chosen by a majority of all the male communicant members above twenty-one years of age, convened for the purpose; at which election, the day and hours of which are to be fixed upon by the persons who shall be elected as aforesaid, for conducting the same, six persons, qualified according to this section, shall be chosen to serve as trustees until their successors respectively are elected; and the trustees so elected, shall meet on the first Tuesday after their election, and shall, at their first meeting, divide themselves by lot into two classes; the time of service of the first class, shall expire on the third Thursday in the month of December, one thousand eight hundred and fifty-six; the time of service of the second class, shall expire on the third Thursday in December, one thousand eight hundred and fifty-seven, so that one-half may be chosen every year after the first election; which elections are to be held on the said third Thursday in the month of December in every succeeding year, or at such other time as may be prescribed by the by-laws; three persons, qualified according to this section, shall be elected to serve as trustees for two years; and at any election to be held in pursuance of this act, the persons having the greatest number of votes, if duly qualified otherwise, shall be declared duly elected to their respective offices, for which said persons were named on the ballots of the electors; and in case two or more candidates shall have the same number of votes, the preference shall be determined by lot, drawn by the persons appointed to conduct the election; and all such elections shall be conducted by three persons, being full communicant members of this congregation, who shall annually be appointed by the aforesaid trustees, or a majority of them; and of all which elections one week's notice shall be given by announcement from the desk or pulpit, or in some other public manner: *Provided*, That no person shall be eligible, as a trustee, who is not at the time of his election a citizen of this commonwealth, and shall not have attained the age of twenty-five years, and who shall not have been at least three years preceding his election, a communicant member of this congregation, and shall not have paid his annual stated contribution, if any was collected, towards the discharge of the expenses of the congregation within one year next preceding his election, according to his ability; nor shall any person hold and exercise the office of trustee after he shall have ceased to be a member of the said congregation; and in case of vacancy by death, resignation, disability, refusal or neglect to serve or otherwise, the vacancy or vacancies shall be supplied by the remaining trustees, until the next annual election.

To be divided into classes.

Plurality to elect.

Tie votes.

Eligibility.

Vacancies.

Failure to elect, not to dissolve corporation.

SECTION 6. That if the congregation neglect on the day of the annual election to hold their election as is herein directed, the said corporation shall not be dissolved, but a majority of trustees remaining in office, may appoint any subsequent time, not exceeding four weeks, at which the election may be held; of which time and place at least one week's notice to the congregation shall be given by announcement from the pulpit or desk, or in any other public manner, as a majority of the re-

or may at any time hereafter become the property of the said congregation or body politic, by purchase, gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever, capable of making the same, and the same to grant, bargain, sell, improve or dispose of for the use and benefit of the said congregation: *Provided*, That the clear yearly value or income of the estate, real, personal and mixed, of the said congregation, exclusive of the moneys arising from annual stated contributions of the said congregation, and from opening any ground thereto belonging for burials, shall not at any time exceed the sum of eight thousand dollars, nor shall it be lawful for said corporation to hold and enjoy, at any one time, more than three hundred and fifty acres of land, except such lands as shall be purchased at sales upon judgment of any person or body politic, where the same may be necessary to secure any debt due to the said congregation, nor to appropriate any of the surplus funds of the corporation to any other than charitable or religious, or such other purposes as shall expressly be specified in this act.

Income limited.

Land limited.

SECTION 3. That no misnomer of said corporation, or their successors, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, That the intent of the party or parties shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

Bequests not to be defeated.

SECTION 4. That the secular business of the said corporation shall be conducted by six trustees, of whom four shall be a quorum, and who shall choose from among their number a president, and shall also appoint a secretary and a treasurer, to serve for the ensuing year, from among the members of the said congregation, qualified to be elected as trustees, according to the fifth section of this act; the secretary shall keep true and correct minutes of the acts and proceedings of the board of trustees, and the treasurer shall receive, disburse and account for all moneys coming into his hands belonging to the said corporation, and shall give security for the faithful performance of the trust reposed in him, and shall have his accounts annually settled by the trustees, to be laid before the congregation, at a meeting convened for that purpose, at least one week before the general annual election; the said trustees may likewise appoint such other officers as they may, from time to time, deem necessary for the proper management of the secular affairs of the congregation, and they may allow such compensation to all officers appointed by them for services rendered, as they may deem just and reasonable, and the said trustees may also, at any time, remove any of the officers appointed by them, and appoint others to supply their place, when, in their opinion, the interests of the congregation require it; the said trustees shall also fix upon the amount of contribution to be paid regularly, yearly or half yearly, by every member of the congregation of twenty-one years of age and upwards, at the rate of not less than fifty cents, and not more than two dollars annually, from any one member, and collect the same, and shall have power to exonerate members on account of their disability to pay, if they deem it just and expedient; and they shall annually inquire, ascertain and report to the board of elders whether any member or members have failed or refused to pay their contribution within the current year, on which report the board of

Business, how managed.

elders shall take such action and make such order as shall by them be deemed expedient and right.

Election of trustees.

SECTION 5. That the first election of trustees under this act, shall be held within six weeks after the same shall have become a law, and shall be conducted by three members of the congregation, to be chosen by a majority of all the male communicant members above twenty-one years of age, convened for the purpose; at which election, the day and hours of which are to be fixed upon by the persons who shall be elected as aforesaid, for conducting the same, six persons, qualified according to this section, shall be chosen to serve as trustees until their successors respectively are elected; and the trustees so elected, shall meet on the first Tuesday after their election, and shall, at their

To be divided into classes.

first meeting, divide themselves by lot into two classes; the time of service of the first class, shall expire on the third Thursday in the month of December, one thousand eight hundred and fifty-six; the time of service of the second class, shall expire on the third Thursday in December, one thousand eight hundred and fifty-seven, so that one-half may be chosen every year after the first election; which elections are to be held on the said third Thursday in the month of December in every succeeding year, or at such other time as may be prescribed by the by-laws; three persons, qualified according to this section, shall be elected to serve as trustees for two years; and at any

Plurality to elect.

election to be held in pursuance of this act, the persons having the greatest number of votes, if duly qualified otherwise, shall be declared duly elected to their respective offices, for which said persons were named on the ballots of the electors; and in case two or more candidates shall have the same number of

Tie votes.

votes, the preference shall be determined by lot, drawn by the persons appointed to conduct the election; and all such elections shall be conducted by three persons, being full communicant members of this congregation, who shall annually be appointed by the aforesaid trustees, or a majority of them; and of all which elections one week's notice shall be given by announcement from the desk or pulpit, or in some other public manner:

Eligibility.

Provided, That no person shall be eligible, as a trustee, who is not at the time of his election a citizen of this commonwealth, and shall not have attained the age of twenty-five years, and who shall not have been at least three years preceding his election, a communicant member of this congregation, and shall not have paid his annual stated contribution, if any was collected, towards the discharge of the expenses of the congregation within one year next preceding his election, according to his ability; nor shall any person hold and exercise the office of trustee after he shall have ceased to be a member of the said congregation; and in case of vacancy by death, resignation, disability, refusal or neglect to serve or otherwise, the vacancy or vacancies shall be supplied by the remaining trustees; until the next annual election.

Vacancies.

Failure to elect, not to dissolve corporation.

SECTION 6. That if the congregation neglect on the day of the annual election to hold their election as is herein directed, the said corporation shall not be dissolved, but a majority of trustees remaining in office, may appoint any subsequent time, not exceeding four weeks, at which the election may be held; of which time and place at least one week's notice to the congregation shall be given by announcement from the pulpit or desk, or in any other public manner, as a majority of the re-

said board of elders shall be conformable to, and in no wise inconsistent with the principles and constitution of the church of the United Brethren, in the United States of America: *And provided further*, That nothing in this act shall be so construed as to prevent the said board of elders from expelling any member, according to the rules and regulations of the church of the United Brethren, in the United States of America, and by such expulsion depriving him or her of all the rights and privileges hereby granted, subject, nevertheless, to an appeal to the board of brethren who, according to the rules and constitution of the northern section of the church of the United Brethren, in the United States of America, are or may be appointed to superintend the general concerns of the said section of the church.

SECTION 11. That the said trustees and their successors shall have the control over and management of all the secular and pecuniary affairs of said congregation, the care of the house or houses of worship, parsonage or parsonages, school house or school houses, and all other church property now or hereafter belonging to the said congregation, and all other temporal concerns and business of the congregation, and they and their successors have full power to enact and enforce such by-laws and ordinances as they shall think proper for their own government and for the regulation and transaction of the secular business of the congregation; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure, and shall have power also to change the time and place of holding the general elections of the said congregation, if the same should be deemed advisable, and all bonds, notes, judgments and mortgages to be given, made and executed, and all deeds for any real estate sold at any time shall be made, signed, sealed, executed and delivered by the trustees, or a majority of them, for the time being: *Provided*, That said trustees and their successors shall have full power to sell and make title to such lots of ground as are or may be appropriated for the purpose of leading the water from the springs into the town of Nazareth by said congregation, and likewise to such lots or pieces of land as may be intended to be used for town lots; however, they shall not dispose, alien or sell, or in any way encumber the other real estate belonging to the said congregation, except in such cases as hereinbefore specified, or whenever in any case for any piece of land belonging to said congregation such a price should be agreed upon with the purchaser as would not be less by the acre as the average piece of unimproved town lots sold within the limits of the town of Nazareth within the previous year, nor contract any debt or debts exceeding in the aggregate the sum of one thousand dollars, without the assent and concurrence of a majority of the male members of the congregation, qualified to vote, present at a meeting to be held for that purpose: *And provided further*, That the said rules, by-laws and ordinances, and all the acts of the said trustees, framed and enacted and promulgated, shall not be contrary to this charter nor to the constitution and laws of this commonwealth, or of the United States, and shall be in conformity to the rules and principles of the church of the United Brethren, in the United States of America, and not in anywise inconsistent with the same.

SECTION 12. That the rents, profits and interests of the real, personal and mixed estates of the said congregation and corpo-

Powers of the trustees.

By-laws.

Seal.

Bonds, &c.

May sell property

Debts limited.

Provide.

Income of corporation to be disposed of.

ration shall, by the said trustees and their successors, from time to time be applied and laid out for the maintenance and support of the gospel ministry in said congregation, for erecting, maintaining and repairing their church or churches, in case any more should be added to that already built, parsonage houses, school houses or other houses or buildings which now do and hereafter shall belong to said congregation and corporation, for maintaining, securing and preserving the same from the ravages of fire or otherwise, for laying out and ornamenting their burial grounds, for contributing towards the opening and improving the streets and public squares in the town of Nazareth now under the control of the said congregation, also for home and foreign missions, or such other pious and charitable uses as shall be thought proper and expedient by the said trustees and their successors or a quorum of them, or as may be specified in this act.

School fund.

Proviso.

SECTION 13. That it shall be the duty of the said trustees and their successors, and they shall have the authority and power to appropriate annually, out of the income of the real, personal and mixed estate of the said congregation, for the use of the schools of the said congregation, any sum as shall be necessary for defraying the annual expense of the same, not exceeding one-third part of the clear income of the last preceding year. *Provided*, That the expenses for erecting and building the necessary school houses, and for acquiring the lots of ground required thereto, be otherwise provided for by the said trustees out of the funds of the said congregation: *And provided further* That all children of five years of age and upwards be admitted to the said schools whose parents, or one of them are members of the congregation, and who shall be willing to submit to the rules and regulations of the said school; to which school the children of others, beside members, may be admitted, on such terms, and under such rules and regulations as the school board may find expedient.

School board.

SECTION 14. That the said yearly appropriation for the use and benefit of the congregation schools, shall be paid over in quarterly equal payments (the first payment to be made on the first day of October, Anno Domini one thousand eight hundred and fifty-six) by the said trustees to the treasurer of the school board: the school board shall be composed of all the members of the board of elders, and of four members of the congregation qualified to be eligible as elders, who shall at the annual election, be elected to serve until others be elected in their places, at the same time and place, and in the same manner as the elders are to be elected according to the provisions of this act: the said school board shall meet on the first Thursday after the election, and the said four so elected members of the board shall decide, between themselves by lot, which two of the four are to serve as members of the board until the third Thursday in the month of December, one thousand eight hundred and fifty-six, so that two persons duly qualified may be chosen for members of the school board every year after the first election to serve for two years: the said school board, at whose meetings the president of the board of elders shall preside, shall have the control over and management of the said congregation schools; and a majority of the members of the said school board shall, upon all occasions, and for the transaction of all business, constitute a quorum, and they shall also appoint secretary and a treasurer.

SECTION 15. That the said trustees shall have power to purchase, have, hold and enjoy to them and their successors, such tract or parcel of land, and other property conveniently situated near the town of Nazareth, for the purpose of using the same to supply the said town with good water, and shall have power to keep the water works, now in use for that purpose, in good repair and full operation, until such time when a company may be formed, and become incorporated by an act of corporation; then, and in that case the said trustees shall have power to sell and transfer the said lands, together with all the improvements, rights, titles, water courses, springs, cisterns and water pipes belonging to the said water works, to the said company, at a price to be fixed by a majority of the male members of the congregation qualified to vote, present at a meeting to be held for that purpose. May erect water works.

SECTION 16. That no enumeration of powers, privileges and duties herein contained, shall be so construed as to exclude others not enumerated, which are necessary to the proper fulfillment of the design and purpose of this act, and not inconsistent with its express provisions and limitations.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 71.

AN ACT

Requiring the State Treasurer to pay Eleanor Jamison certain moneys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby directed to pay to Eleanor Jamison the balance of two hundred and fifty dollars, immediately after the passage of this act, as provided for by the act of the twenty-seventh of April, one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 72.

AN ACT

For the relief of the widow and children of George W. Barrack, of Lancaster county, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and directed to pay to Amelia Barrack, the widow of George W. Barrack of Lancaster county, the sum of three hundred dollars in cash and an annuity of forty-two dollars, payable to her semi-annually during her natural life, the first semi-annual payment of said annuity to be made on the first day of July next; and in the event of the death of the said Amelia Barrack, before her children, by the said George W. Barrack, shall attain the age of twenty-one years, the said annuity shall be paid to the guardian of the said children, or the survivor of them, for their support and education, until they or the survivor of them shall reach full age, as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 73.

AN ACT

For the relief of Mary Frantz, a widow of a Soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and directed to pay to Mary Frantz, of Westmoreland county, a widow of a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars during life, payable half yearly,

commence on the first day of January, one thousand eight hundred and fifty-six.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 74.

AN ACT

claratory of the construction of the eleventh section of an act passed on the twenty-sixth day of July, Anno Domini one thousand eight hundred and forty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is hereby declared to be the true intent and meaning of the eleventh section of an act to incorporate the Liberty fire company, of Holmesburg, in the county of Philadelphia, approved on the twenty-sixth day of July, Anno Domini one thousand eight hundred and forty-two, and its true and legal effect shall be, that in all cases where any railroad or canal company, authorized by existing laws to issue bonds, certificates of loan or evidences of indebtedness secured by mortgage, may have issued or shall hereafter issue any such bonds, certificates of loan or evidences of indebtedness, executed by such company, and has disposed of or may hereafter dispose of the same at less than their par value, such transactions shall not be deemed usurious or in violation of any law of this commonwealth prohibiting the taking of more than six per cent. interest.

ABRM. EDINGER,
Speaker of the House of Representatives, pro tem.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 75.

AN ACT

To change the name of the Harrison Rangers, of Jonestown, Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the volunteer company known as the Harrison Rangers, in the county of Lebanon, be known and designated as the Jonestown Riflemen.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 76.

AN ACT

To change the time of holding Courts in Butler and Lawrence counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the winter term of the several courts in the county of Butler, shall commence on the second Monday of December in each year, and continue one week, if necessary, and the winter term of the several courts in Lawrence county, shall commence on the first Monday of December in each year, and continue one week, if necessary.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 77.

A N A C T

to incorporate the Clayton, Schultzville and Boyerstown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Landis, C. K. Schultz, John Landis, John M. Oberholtzer, Daniel S. Shultz, John H. Funck, Doctor Samuel Young, Peter Y. Brendlinger, Daniel B. Boyer, William Bender, John Muldin, Samuel H. Landis, George Landis, Nicholas B. Johnson, Samuel W. Weiss, Samuel D. Heil, Richard F. Smith, C. H. Fisher, John Knetz, Joseph B. Bechtel, Henry L. Eshbach, Andrew K. Schultz, John Melchior, Andrew Schultz and William H. Bechtel, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of "The Clayton, Schultzville and Boyerstown turnpike road company," with power to construct a clay or stone turnpike or plank road from the terminus of the Hereford turnpike road, in the village of Clayton, Berks county, thence by the nearest and best route to Schultzville to Boyerstown, in the county aforesaid, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of the said company shall consist of two hundred shares of fifty dollars each, and by a vote of the stockholders, at a meeting called for the purpose, may be increased to two hundred and sixty shares, if the same shall be deemed necessary to carry into effect the true intent and meaning of this act.

SECTION 3. That if said corporation shall not commence the construction of said road within two years, and complete the same within five years from the passage of this act, the same shall be null and void, except so far as the same shall be necessary to wind up the affairs and pay the debts of the company.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 78.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Wabank House, on the banks of the Conestogo, in Lancaster county," approved on the seventh of May, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for said corporation, at any time or times hereafter, to sell and convey, in fee simple, by deed or deeds executed under the common or corporate seal of the said corporation, and signed by the president and attested by the secretary, the whole or any parts of the real estate belonging to said corporation, and acquired under the said act of incorporation, to such person or persons, and for such price or prices and upon such terms of payment as the board of directors, or a majority of them, may deem proper: *Provided, That* authority for that purpose shall be first given by a majority, in number and value, of the stockholders, at a meeting called for that purpose.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 79.

A SUPPLEMENT

To an act to incorporate the Philadelphia Steam Tug Company for Saving and Protecting Property, approved the second day of May, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in addition to the rights and powers already conferred, the directors of the Philadelphia steam tug company be and they are hereby authorized and empowered to employ and use so much of their capital and property as they may consider necessary and expedient, from time to time, in the building, purchase, equipment and repairs of ice-boats, propelled by steam or other

wise, for the purpose of keeping the channel of the Delaware river and bay open and free from ice.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 80.

A SUPPLEMENT

To an act to incorporate the President and Managers and Company of the Monongahela Bridge Company, at Brownsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several privileges, qualifications and restrictions granted in an act of assembly to authorize the governor to incorporate a company to erect a bridge over the Monongahela river, at Brownsville, approved March sixteenth, one thousand eight hundred and thirty, shall not be so construed as to authorize the said company, or any of its agents, to ask, demand, take or receive toll from any person or persons for any horse, mare or gelding, for any carriage, buggy, sleigh, sled or other vehicle used by any person or persons going to and returning from divine service or funerals; and also, that said bridge company shall be required, immediately after their annual election for managers, to publish the names of the several persons so elected during three successive weeks in one newspaper published in Washington county, and in one newspaper published in Fayette county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 81.

AN ACT

To vacate Washington street, extending from Arch to Cherry streets, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Washington street, in the city of Philadelphia, extending from Arch to Cherry street, at the distance of ninety feet eastward from the north-east corner of Twenty-second and Arch streets, eighteen feet wide, and two hundred and eighty-eight feet deep, be and is hereby vacated, and the soil therein vested in the owners of the adjoining ground on each side thereof.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 82.

AN ACT

Relative to the appointment of an Auctioneer in the borough of Allentown, in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the second section of an act, approved the eighteenth day of April, Anno Domini one thousand eight hundred and forty-three, entitled "A further supplement to the act relating to inspectors," passed the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-five, and for other purposes, extending to the borough of Allentown, in the county of Lehigh; the provisions of the fifth section of an act, entitled "An Act to confer on George, Polly, Susan, Elizabeth and Peggy Strohl and Marinda Wurtz, the rights and benefits of children born in lawful wedlock, and for other purposes," passed the eleventh day of April, one thousand eight hundred and forty, be and the same is hereby repealed.

Repealed.

SECTION 2. That the second section of an act, entitled "An Act relating to hawkers and pedlers in the counties of Lehigh, Dauphin, Sullivan, Wyoming and Berks," approved the twentieth day of April, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby repealed, so far as the same extends to the county of Lehigh. Repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 83.

AN ACT

For laying out a State Road through parts of Luzerne, Carbon and Schuylkill counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William A. Tubbs, of the county of Luzerne, Israel Beahm, of the county of Carbon, and Benjamin Heilner, of the county of Schuylkill, be and they are hereby appointed commissioners to view and lay out, by courses and distances, a state road, to commence at a point on the Berwick turnpike, in Luzerne county, about one-half mile (more or less) south of Horn's tavern; thence by the Cranberry mines, to Yorktown, in Carbon county; thence to a point about one mile (more or less) east of Belzenberger's tavern, on the state road leading from Orwigsburg, Schuylkill county, to Wilkesbarre, Luzerne county, having due respect to private property, and that the said commissioners have power to vacate any old road, so far as it is supplied by the new. Commissioners.

SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act, with impartiality and fidelity, carefully to view the ground over which the said road may pass, and lay out the same as near to a straight line between the aforesaid points as the nature of the ground and other important circumstances will permit, and in such manner that the vertical departure from a horizontal line shall at no point exceed five degrees, unless it be at the crossing of ravines and streams, where by moderate filling and bridges, the declination of the road may be preserved within that limit. Their duties.

Care enjoined.

SECTION 3. That it shall be the duty of the commissioners, or a majority of them, in choosing the ground, to have due regard to the crossing of water, to the declination and nature of the ground, to the expenses of the townships, to the damages to private property, and to all other circumstances affecting the route, so that by a judicious and skilful combination of them the route finally adopted may best promote the public good.

To mark on ground.

SECTION 4. That it shall be the duty of the commissioners, or a majority of them, plainly and distinctly to mark upon the ground the route agreed upon for the road as aforesaid, in such manner as to enable the supervisors readily to find the same, and for the purpose of fulfilling the duties in this act enjoined, the commissioners are hereby authorized to employ two chain bearers, one axeman and one staff bearer, at a per diem allowance not exceeding two dollars.

Draft of road.

SECTION 5. That it shall be the duty of the commissioners to employ a surveyor, whose duty it shall be to make out a fair and accurate draft of the said location, noting thereon the courses and distances from point to point, as they occur, the improvements they pass through, and also the crossing of county and township lines, roads or waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of August next, and one copy in the office of the clerk of the court of quarter sessions of the respective counties aforesaid, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof; and thenceforth the said road shall be, to all intents and purposes, a public highway, and shall be opened and repaired in all respects as roads are opened and repaired which are laid out by order of the courts aforesaid.

Compensation.

SECTION 6. That the compensation of the commissioners and surveyor shall be three dollars each for every day necessarily employed by virtue of this act; and the accounts of the said commissioners, for their own pay and the pay of their surveyor and their hands aforesaid, shall be adjusted and allowed by the commissioners of the respective counties through which the said road passes, and be paid by the treasurers thereof, or warrants drawn in the usual way, and in proportion to the length of the road in such county respectively. The commis-

How paid.

Time of meeting.

sioners shall meet on the third Monday of April next, or as soon as practicable; and if a vacancy or vacancies shall happen, by a resignation of a commissioner or commissioners, or by any other cause, the governor of this commonwealth is hereby authorized to fill the vacancy or vacancies by a suitable appointment.

Vacancies.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 84.

A SUPPLEMENT

To the act of March twenty-sixth, eighteen hundred and fifty-three, authorizing the Executors of Doctor Jacob Wagonseller, deceased, to sell and convey the lands therein mentioned, and to the supplement to said act, passed the twelfth day of April, one thousand eight hundred and fifty-five.

WHEREAS, William F. Wagonseller and Alexander Jordan, executors of Doctor Jacob Wagonseller, deceased, or the survivor of them, or the one who may be the acting executor at the time, by and with the advice and consent, in writing, of the guardians of the minor children, are authorized to sell to such incorporated company, in Schuylkill county, as they may select, the coal lands of said testator in said county, upon such terms and security as they may judge most beneficial, which security is to be approved of by the orphans' court of said county:

And whereas, By the supplement to said act, passed the twelfth day of April, one thousand eight hundred and fifty-five, they and the survivor of them are authorized and empowered, with the consent, in writing, of the heirs in their majority, and the guardians of those in their minority, to sell and convey the bonds and stock of such incorporated company, or such part thereof as may be needed for the payment of any debts remaining unpaid against the said testator, or the late firm of J. and W. F. Wagonseller, and for the support and maintenance and education of the minor children of said testator; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said executors, or the survivor of them, or the one who may be the acting executor, be and they are hereby authorized to receive in payment of the said lands, or as security for the interest of the said testator in the said lands, the bonds and certificates of stock issued by the said company from time to time, in pursuance of the powers given them by their act of incorporation and its supplements, for the purposes specified in the said supplement, passed the twelfth day of April, one thousand eight hundred and fifty-five, and for distribution according to the will of said testator, including the bonds and certificates of stock already issued and received by them.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 85.

AN ACT

To confer on Elias Hibbert the name of Elias Hibbert Dickens, and all the rights and privileges of a child born in lawful wedlock.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Elias Hibbert, of the city of Philadelphia, be and the same is hereby changed to Elias Hibbert Dickens, by which name he shall hereafter be able and capable in law to hold all property and rights of property to which he has been, or may hereafter be in any manner entitled.

Legitimated.

SECTION 2. That the said Elias Hibbert, of the city of Philadelphia, the son of Elias Dickens and Mary Ann his wife, shall have and enjoy all the rights, benefits and advantages of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely, to all intents and purposes, as if he had been born in lawful wedlock.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 86.

AN ACT

Relating to the Tioga Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso to the twenty-fifth section of the act of assembly approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to appoint commissioners to run and mark the boundary lines between York, Cumberland and Adams counties," and for other purposes therein named, be and the same is hereby repealed, and that the whole amount of lands held by said company shall not ex-

ceed the quantity included in the warrants of survey referred to in the act to which this is a supplement.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 87.

AN ACT

To annul the Marriage Contract entered into between Helen H. Jordan and John V. Jordan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Helen H. Jordan, late Helen Hay, and John V. Jordan, be and the same is hereby declared null and void, and said parties are hereby discharged from all liabilities and obligations growing out of the same, as fully and absolutely as if they had never been joined in marriage.*

ABRAHAM EDINGER,
Speaker of the House of Representatives, pro tem.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 88.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Lackawanna and Bloomsburg Railroad Company," approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

LAWS OF PENNSYLVANIA,

the restriction upon the amount to be charged by railroad companies contained in the eighteenth section of the act of the nineteenth of February, one thousand eight hundred and forty-nine, relating to canal and railroad companies, shall not apply to the Lackawanna and Bloomsburg railroad company, when the distance that cars or freight shall be transported, or passengers conveyed, shall not exceed ten miles.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 89.

AN ACT

For the relief of Elizabeth Earden.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is authorized and required to pay Elizabeth Earden, of Lancaster city, Pennsylvania, widow of a soldier of the Revolutionary war, or her order, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and half yearly thereafter on the first day of January and July.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 90.

AN ACT

To confirm the title to certain Real Estate in the county of Bucks.

WHEREAS, The school directors of Bensalem township, in the county of Bucks, made and exchanged about one acre of land in said township with one E. M. Hopkins, for about the same amount of land in said township and eight hundred dollars:

And whereas, It is believed such exchange is for the benefit of the township, and that the title should be confirmed in said Hopkins; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the conveyance made by Andrew Ott, Joseph Boutcher, Garrett Walton, Levy Field, Robert H. Wood and Peter States, directors aforesaid, to the said E. M. Hopkins for said lands shall be deemed, held and considered valid and sufficient to vest title in him, with the same force and effect as if the said Andrew Ott, Joseph Boutcher, Garrett Walton, Levy Field, Robert H. Wood and Peter States had been authorized to make, execute and deliver such conveyance by act of the general assembly, before conveyance made, and the said sale, exchange and conveyance is hereby confirmed and made valid.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 91.

AN ACT

Relating to the German Lutheran Congregation of Immanuel's Church, in the city of Philadelphia.

WHEREAS, Joseph J. Miller, of Philadelphia, did by two several deeds of conveyance, dated the fourth day of April, Anno Domini one thousand seven hundred and ninety-two, and the fourth day of March, Anno Domini one thousand seven hundred and ninety-six, convey to George Seitz, Jacob Leasher

LAWS OF PENNSYLVANIA,

and others, in trust for the German Lutheran congregation of the township of Oxford, and the vicinity thereof, certain lots, containing in all one acre and sixteen and a half perches, for the purpose of erecting thereon a house of worship, with a stipulation that the said trustees, their successors or assigns, should convey the premises therein granted to such persons as the said congregation should elect to take such conveyance :

And whereas, A house of worship was erected, and regular services in the German language have been maintained by the members of said congregation, and their successors, who on the third day of February, Anno Domini one thousand eight hundred and fifty-five, became a body corporate, under the name, style and title of the minister, elders and wardens of the German Evangelical Lutheran congregation of Immanuel's church, in the city of Philadelphia, by virtue of the charter granted by the court of common pleas of the city of Philadelphia :

And whereas, The original trustees are deceased, and it is believed that there is no person living who is authorized to make and execute a conveyance of the said church property to the corporation, in whose possession it now is, and to whom it rightfully belongs ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title to the two lots or parcels of ground conveyed by the said Joseph J. Miller to George Seitz and others, in trust for the use of the said German Lutheran congregation, shall be and the same is hereby vested in the church corporation of the minister, elders and wardens of the German Evangelical Lutheran congregation of Immanuel's church, their successors and assigns, to have and to hold the same forever, with the right to sell and convey any portion of said lots not required for the use of the congregation, and apply the proceeds to the removal, re-building or enlargement of their house of worship, or to other proper purposes for the use and benefit of said congregation, according to the terms of their charter.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 92.

AN ACT

To incorporate the Mount Vernon Cemetery Company.

WHEREAS, Several citizens of this commonwealth hereinafter named have associated for the purpose of establishing a rural cemetery on the Ridge turnpike road, in the Twenty-first ward of the city of Philadelphia, and have petitioned to be incorporated with the necessary powers for effectuating the objects aforesaid. Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That T. K. Collins, Sr., William H. Geyer, M. D., Robert Buist, Jacob Stockman, Jacob Monk, William Taylor, Lawrence Johnson, William Musser, George F. M'Calmont and Andrew Cochran be and they and their successors are hereby made and created a body politic and corporate in law, under the name, style and title of "The Mount Vernon cemetery company," with all the powers, privileges and immunities contained in the act of assembly of this commonwealth, entitled "An Act to incorporate the Laurel Hill cemetery company in Penn township, Philadelphia county," approved the ninth day of February, Anno Domini one thousand eight hundred and thirty-seven, and the supplements thereto, approved respectively on the eighth day of March, Anno Domini one thousand eight hundred and forty-seven, and the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-one. Corporation.
Style.
Privileges.

SECTION 2. That the said corporation shall have power to purchase and hold and appropriate for cemetery purposes not exceeding thirty acres of land, situate on Ridge turnpike road, in said city of Philadelphia, bounded on the north by Cambria street, on the east by Thirty-second street, on the south by Lehigh avenue, and on the west by Ridge turnpike aforesaid; and the ten persons named in the first section of this act shall be the managers of said company until their places shall be supplied by a new election. Power to hold certain land.

SECTION 3. That the courts of said county shall not at any time alter the name of said cemetery. Restriction.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

pose of carrying passengers, teams and carriages across said river with all reasonable diligence and care, and the same shall be and is hereby declared a public ferry.

Landings, how to
be obtained.

SECTION 2. That in the event of the said James M'Elwain, or his heirs or assigns being unable to agree with the owner or owners of the land, at the points which he or they shall designate, for the right or rights of way over the same for the landings mentioned in the preceding section, then and in that case he or they shall obtain the right or rights of way for said landings from the aforesaid owner or owners of said land, in the same manner, and under the same legal proceedings by which rights of way are obtained by the Allegheny Valley railroad company: *Provided*, That before any land shall be taken for the purposes aforesaid, the full value thereof, as fixed by the inquest, shall be first paid the owner or owners thereof.

Tolls.

SECTION 3. That the said James M'Elwain, his heirs and assigns, as a remuneration for keeping up and in good repair the said landings and ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and cattle, as shall be just and reasonable, not exceeding the rates heretofore charged by other ferries across said river at the aforesaid borough.

Limitation.

SECTION 4. That unless the aforesaid ferry shall be established and put in operation as directed by this act, within two years from the passage of this act, the privileges, powers and authorities hereby granted shall become forfeited, and this act become null and void.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 96.

AN ACT

To authorize the collection of Road Taxes in Conemaugh township, Indiana county, in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors of Conemaugh township, in the county of Indiana, and their successors in office, be and they are hereby authorized and directed to appropriate any money they have or may have on hand towards paying and defraying one half the cost and expense of building a bridge across Altman's run, at the place where the public road leading from Blairsville to Salts-*

burg crosses the same, in said township of Conemaugh, and in case said supervisors may not have on hand money enough for the purpose aforesaid, they the said supervisors and their successors in office are hereby authorized and directed to lay and collect, in money, a sum sufficient to pay and discharge any balance that may be wanting and necessary to defray the said one half of the cost and expense of building and erecting said bridge, at the place aforesaid; and the said supervisors are hereby farther authorized, in return, to subscribe, on behalf of said township, a sum of money sufficient to pay and discharge one half the cost and expense of erecting and putting up said bridge at the place aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED — The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 97.

AN ACT

Authorizing the President, Managers and Company of the Pittsburg and Coal Hill Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Pittsburg and Coal Hill turnpike road, be and they are hereby authorized to borrow any sum of money, not exceeding twelve thousand dollars, at such rates of interest, and on such terms as may be determined by the president and managers of said company, for the purpose of paying certain debts contracted, and liabilities incurred in constructing, improving and planking their road, and for the purpose of completing the same; and it shall be lawful for said company to secure the money so borrowed by bond or bonds of said company, and mortgage upon its property or otherwise, as the said president and managers may deem proper; and the said president and managers are hereby authorized to sell and dispose of the said bonds within or beyond this commonwealth, at such rates as may be agreed upon between the parties, and such sale shall be valid, as if sold at par: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

SECTION 2. That the several officers of said corporation shall hereafter, on due notice, be chosen on the first Monday of April, in the year one thousand eight hundred and fifty-six, and an-

LAWS OF PENNSYLVANIA,

anally thereafter, who shall severally hold their respective offices until their successors shall be duly chosen and qualified; and further, that any failure heretofore made, or which shall be made to elect any of said officers, according to the act aforesaid, or this supplement, shall not in anywise effect the franchises of said corporation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 98.

AN ACT

To incorporate the Monongahela Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. Robert Palmer, John Arthur, Abm. Garrison, Thomas S. Blair, Henry Woods, C. G. Hussy, W. H. Williams, Joseph Little, W. H. Brown, Robert Robb, William Barker, Edward Campbell and John W. Butler, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the "Monongahela turnpike company," with power to construct a turnpike road from a point on the eastern line of the city of Pittsburg, near the Monongahela river, to the Six Mile ferry, on said river, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided,*

Style. That when the company hereby incorporated shall have completed two or more miles of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth January, one thousand eight hundred and forty-nine.

Route.

Subject to

Tolls.

SECTION 2. That the capital stock of said company shall consist of four hundred shares of twenty-five dollars each: *Provided,* That the said company may, from time to time, by a vote of its stockholders, at a meeting called for the purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true intent and meaning of this act.

Capital stock.

burg crosses the same, in said township of Conemaugh, and in case said supervisors may not have on hand money enough for the purpose aforesaid, they the said supervisors and their successors in office are hereby authorized and directed to lay and collect, in money, a sum sufficient to pay and discharge any balance that may be wanting and necessary to defray the said one half of the cost and expense of building and erecting said bridge, at the place aforesaid; and the said supervisors are hereby further authorized, in return, to subscribe, on behalf of said township, a sum of money sufficient to pay and discharge one half the cost and expense of erecting and putting up said bridge at the place aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED — The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 97.

AN ACT

Authorizing the President, Managers and Company of the Pittsburg and Coal Hill Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Pittsburg and Coal Hill turnpike road, be and they are hereby authorized to borrow any sum of money, not exceeding twelve thousand dollars, at such rates of interest, and on such terms as may be determined by the president and managers of said company, for the purpose of paying certain debts contracted, and liabilities incurred in constructing, improving and planking their road, and for the purpose of completing the same; and it shall be lawful for said company to secure the money so borrowed by bond or bonds of said company, and mortgage upon its property or otherwise, as the said president and managers may deem proper; and the said president and managers are hereby authorized to sell and dispose of the said bonds within or beyond this commonwealth, at such rates as may be agreed upon between the parties, and such sale shall be valid, as if sold at par: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

SECTION 2. That the several officers of said corporation shall hereafter, on due notice, be chosen on the first Monday of April, in the year one thousand eight hundred and fifty-six, and an-

Care enjoined.

SECTION 3. That it shall be the duty of the commissioners, or a majority of them, in choosing the ground, to have due regard to the crossing of water, to the declination and nature of the ground, to the expenses of the townships, to the damages to private property, and to all other circumstances affecting the route, so that by a judicious and skilful combination of them the route finally adopted may best promote the public good.

To mark on ground.

SECTION 4. That it shall be the duty of the commissioners, or a majority of them, plainly and distinctly to mark upon the ground the route agreed upon for the road as aforesaid, in such manner as to enable the supervisors readily to find the same, and for the purpose of fulfilling the duties in this act enjoined, the commissioners are hereby authorized to employ two chain bearers, one axeman and one staff bearer, at a per diem allowance not exceeding two dollars.

Draft of road.

SECTION 5. That it shall be the duty of the commissioners to employ a surveyor, whose duty it shall be to make out a fair and accurate draft of the said location, noting thereon the courses and distances from point to point, as they occur, the improvements they pass through, and also the crossing of county and township lines, roads or waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of August next, and one copy in the office of the clerk of the court of quarter sessions of the respective counties aforesaid, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof; and thenceforth the said road shall be, to all intents and purposes, a public highway, and shall be opened and repaired in all respects as roads are opened and repaired which are laid out by order of the courts aforesaid.

Compensation.

SECTION 6. That the compensation of the commissioners and surveyor shall be three dollars each for every day necessarily employed by virtue of this act; and the accounts of the said commissioners, for their own pay and the pay of their surveyor and their hands aforesaid, shall be adjusted and allowed by the commissioners of the respective counties through which the said road passes, and be paid by the treasurers thereof, on warrants drawn in the usual way, and in proportion to the length of the road in such county respectively. The commissioners shall meet on the third Monday of April next, or as soon as practicable; and if a vacancy or vacancies shall happen, by a resignation of a commissioner or commissioners, or by any other cause, the governor of this commonwealth is hereby authorized to fill the vacancy or vacancies by a suitable appointment.

How paid.

Time of meeting.

Vacancies.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

same restrictions as said company had and held the same: *Provided*, That no bond or obligation hereby authorized to be executed, shall be for a less sum than one hundred dollars.

SECTION 2. That the time for the commencement of the work *Limitation* of construction of said railroad, be and the same is hereby extended two years from the expiration thereof.

SECTION 3. That the last proviso in the second section of the *Repeal* supplement to the act incorporating the Gettysburg railroad company, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 103.

AN ACT

For the relief of Pascal Yearsley.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Pascal Yearsley, of the city of Philadelphia, his heirs or assigns, the sum of ten hundred and three dollars, being the amount found to be due him, and payable to him for labor and materials furnished at the Schuylkill depot, on the road to avoid the inclined plane, by the commissioners appointed under the twenty-ninth section of the act, entitled "An Act to provide for the ordinary expenses of government, the repairs of the public canals and railroads, and other general and special appropriations," passed May ninth, one thousand eight hundred and fifty-four.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 85.

AN ACT

To confer on Elias Hibbert the name of ELIAS Hibbert Dickens, and all the rights and privileges of a child born in lawful wedlock.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That

Name changed. the name of Elias Hibbert, of the city of Philadelphia, be and the same is hereby changed to Elias Hibbert Dickens, by which name he shall hereafter be able and capable in law to hold all property and rights of property to which he has been, or may hereafter be in any manner entitled.

SECTION 2. That the said Elias Hibbert, of the city of Philadelphia, the son of Elias Dickens and Mary Ann his wife, shall

Legitimated. have and enjoy all the rights, benefits and advantages of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely, to all intents and purposes, as if he had been born in lawful wedlock.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 86.

AN ACT

Relating to the Tioga Improvement Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That

the proviso to the twenty-fifth section of the act of assembly approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to appoint commissioners to run and mark the boundary lines between York, Cumberland and Adams counties," and for other purposes therein named, be and the same is hereby repealed, and that the whole amount of lands held by said company shall not ex-

ceed the quantity included in the warrants of survey referred to in the act to which this is a supplement.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 87.

AN ACT

To annul the Marriage Contract entered into between Helen H. Jordan and John V. Jordan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Helen H. Jordan, late Helen Hay, and John V. Jordan, be and the same is hereby declared null and void, and said parties are hereby discharged from all liabilities and obligations growing out of the same, as fully and absolutely as if they had never been joined in marriage.*

ABRAHAM EDINGER,
Speaker of the House of Representatives, pro tem.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 88.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Lackawanna and Bloomsburg Railroad Company," approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

LAWS OF PENNSYLVANIA,

in the act incorporating said company, conflicting with this act, be and the same are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 107.

AN ACT

To transfer Crows Island from Dauphin to Perry county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain island lying in the Susquehanna river, in Upper Paxton township, Dauphin county, belonging to George Blattenberger, and known by the name of Crows island, be and the same is hereby declared to be attached to, and hereafter become a part of Perry county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 108.

AN ACT

Authorizing the State Treasurer to pay to Means and Edwards certain moneys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be directed to pay to Means and Edwards,

contractors for building the two and five-eighths miles of the North Branch Pennsylvania canal adjoining the state line, the sum of ~~six thousand six hundred and eight dollars and twenty-five cents, for work done by them in addition to their contract, from the fund appropriated by the act of May seventh, one thousand eight hundred and fifty-five, for the payment of debts due on said line.~~

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 109.

A SUPPLEMENT

To the act incorporating a company to make a Plank Road from Hopewell to Bloody Run, in Bedford county, approved March twenty-seventh, eighteen hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* ^{Name changed.} the company organized under and by virtue of the act to which this is a supplement, shall be known by the name, style and title of "The Hopewell and Bloody Run plank and turnpike road company."

SECTION 2. That said company shall have power to construct ^{Clay road.} and complete such parts of said road with clay or gravel, wherever the ground over which the same passes will admit.

SECTION 3. That said company shall have power to construct ^{Plank or turnpike} a plank or turnpike road, or part plank and part turnpike, from the village of Pattonville, in said county, to intersect their said road from Hopewell to Bloody Run, at any point they may deem proper.

SECTION 4. That the president and managers of said company shall have power, if it be deemed expedient and necessary, to ^{Capital may be increased.} increase the capital stock of said company to any number of shares not exceeding two thousand of twenty-five dollars each.

SECTION 5. That it shall be lawful for the Hopewell coal and iron company, the Bedford Mineral Springs association, the Broadtop improvement company, or any railroad, canal, coal or improvement company in this commonwealth, to subscribe to the capital stock of the company incorporated by the act to which this is a supplement; said subscriptions to be made by and in the name of the president of any of said companies for the time being, upon the consent of a majority of the stock-

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holders thereof, represented at any meeting of the corporate authorities duly convened for that purpose.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 110.

A SUPPLEMENT

To an act relative to the erection of a Bridge over the Youghiogheny river, in Fayette county, approved the twenty-fourth day February, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the company incorporated by the act to which this is a supplement, is hereby authorized to construct the bridge therein named at a height above the water, and at a distance between the piers, not less than those of the bridge over the same stream at Connelville.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 111.

A SUPPLEMENT

To an act authorizing the laying out of a State Road from Meadville, in Crawford county, to New Wilmington, in Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the commissioners named in the act to which this is a supplement, locate said road by way of Cochranton, and the surveyor employed to make said location, shall receive two dollars and fifty cents per day for his services; but if James A. Leech or Henry Beatty act as surveyor, in addition to his duties as commissioner, then he shall be allowed the sum of one dollar in addition to his per diem allowance as commissioner. Pay of officers.

SECTION 2. That the proviso of the eighth section to which this is a supplement, is hereby repealed, and the time for making said location is hereby extended until the twentieth day of October next. Repeal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 112.

A N A C T

To incorporate the Clarion and Mahoning Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners.
Thomas M'Cullough, Joseph Buffington, J. B. Loomis, George W. Arnold, Jeremiah Bonner, Robert Orr, James B. Lawson, Lindsey C. Pritner, Samuel Wilson, (of Strattonville,) J. Patton Lyon, J. N. Hetherington and D. B. Craig, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Clarion and Mahoning turnpike Style.
company, with power to construct a turnpike road from the borough of Clarion, in Clarion county, to the Allegheny Valley railroad, at or near the mouth of Mahoning creek, in Armstrong county, or at such other point on said railroad, and by such route or routes as the majority of the managers may determine upon, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are consistent with this act. Route. Subject to.

SECTION 2. That the capital stock of said company shall consist of twelve hundred shares of twenty-five dollars each, with power to increase their stock to eighteen hundred shares of like amount. Capital stock.

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anally thereafter, who shall severally hold their respective offices until their successors shall be duly chosen and qualified; and further, that any failure heretofore made, or which shall be made to elect any of said officers, according to the act aforesaid, or this supplement, shall not in anywise effect the franchises of said corporation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 98.

AN ACT

To incorporate the Monongahela Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. Robert Palmer, John Arthur, Abm. Garrison, Thomas S. Blair, Henry Woods, C. G. Hussey, W. H. Williams, Joseph Little, W. H. Brown, Robert Robb, William Barker, Edward Campbell and John W. Butler, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the "Monongahela turnpike company," with power to construct a turnpike road from a point on the eastern line of the city of Pittsburg, near the Monongahela river, to the Six Mile ferry, on said river, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided*

Style. That when the company hereby incorporated shall have completed two or more miles of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth January, one thousand eight hundred and forty-nine.

Tolls.

Capital stock. **SECTION 2.** That the capital stock of said company shall consist of four hundred shares of twenty-five dollars each: *Provided*, That the said company may, from time to time, by a vote of its stockholders, at a meeting called for the purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true intent and meaning of this act.

SECTION 3. That said company is hereby confined to the occu- Restriction of
pancy of the site of the Pittsburg and Braddock's Field plank road, in the location of their road, if the said Pittsburg and
Braddock's Field plank road company shall give their assent
thereto, or shall have abandoned the same.

SECTION 4. That if the said company shall not commence the When to be made
construction of their road within three years, and complete the
same to the Four Mile run within five years thereafter, this act
shall be null and void, except so much thereof as may be neces-
sary to wind up the affairs and pay the debts of the company.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini
one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 99.

AN ACT

To authorize the President and Managers of the Skippack Turnpike Road
Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assem-
bly met, and it is hereby enacted by the authority of the same, That*
the president and managers of the Skippack turnpike road com-
pany shall have full power and authority to borrow any sum of
money, or sums of money, not exceeding two thousand dollars,
which may be necessary to enable them to complete their road,
discharge the debts incurred in the construction thereof, and
enjoy the full benefit of the privileges conferred upon them by
the act of assembly authorizing their incorporation; any such
loan to be on such terms and conditions as the said corporation
may deem fit, and at any rate of interest not exceeding six per
centum per annum, with power also to pledge and mortgage, as
security for such loan or loans, their said road, and all and any
of their property, real and personal, together with all their
rights, powers and privileges and franchises; any sale or sales,
under any judicial process to enforce any such pledge or mort-
gage, shall pass to and vest in the vendee or vendees whatever
property, rights, powers, privileges and franchises may have
been pledged or mortgaged under any such pledge or mortgage
as last aforesaid.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini
one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 100.

AN ACT

To change the name of the Shamokin Greys, of Shamokia, Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the volunteer company known as the Shamokin Greys, in the county of Northumberland, be known and designated as the National Guards.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 101.

AN ACT

To incorporate the West Branch High School.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporators. John A. Gamble, John Durell, John Lebring, Enos Garret and Robert Crane, and their successors, and all persons who now are or hereafter may be associated with them, be and they are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style and title of "The West Branch high school boarding house association," in the borough of Jersey Shore, county of Lycoming, and by that name may

Style. sue and be sued, plead and impleaded, in any court of law or equity, and to take and hold, to them and their successors, either by grant, gift or devise or lease, any lands or real estate, for the purpose of erecting thereon a suitable building or buildings for the use of the said association, any goods or chattels, sum or sums of money, by gift, grant, bargain, sale, will or bequest from any person or persons whosoever capable of making the same, and the same at their pleasure to grant, bargain and sell, for the use of the said corporation, and to borrow any sum or sums of money, not exceeding two thousand dollars, for the use

Privileges.

and purpose of said association, and generally to do all and singular the matters and things which shall be lawful for them to do for the well-being and due management of the affairs of said association.

SECTION 2. That the object of said association shall be to provide, erect and furnish a suitable building or buildings in the borough of Jersey Shore, for the accommodation of the principal, teachers and pupils of the West Branch high school, and other persons who can be accommodated therein. Objects.

SECTION 3. That each share of stock shall be valued at ten dollars, and shall entitle the holder to one vote for every share of stock held by him, her or them, in person or by proxy: *Provided*, That no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election or meeting of said association, unless the whole sum due and payable on the share or shares by him, her or them held at the time of such election shall have been fully paid and discharged. Stock.

SECTION 4. That the stockholders of said association shall meet on the first Wednesday of November in each and every year, at such place as shall be fixed by their by-laws, twenty days' previous notice having been given in one or more newspapers published in the county in which said buildings are erected, for the purpose of electing, by ballot, one president, five managers, secretary and treasurer, to conduct the business of said company until the first Wednesday of November next ensuing; and the president and managers of said association, three of whom shall constitute a quorum, shall keep minutes of all their proceedings, fairly entered in a book kept for that purpose; shall ascertain the time, the manner and proportions in which the stockholders shall pay the amount of their respective shares; shall draw orders on the treasurer for all debts contracted by them, which orders shall be signed by the president, and attested by the secretary, and to do and transact all other acts, matters or things as by the by-laws, orders and regulations of said association, as shall be entrusted to them. Organization.

SECTION 5. That any stockholder, whether original subscriber or assignee, after twenty days' notice as aforesaid, of the time and place appointed for the payment of any instalment or proportion of the subscription of stock, shall neglect to pay such proportion at the place appointed for the space of thirty days after the time appointed for the payment thereof, the same may be forfeited by and to the said association, and may be sold by them for such price as may be obtained therefor, or in default of payment of any of the said instalments the president and managers may, at their discretion, cause suit to be brought in the same manner as debts of a like amount are now recoverable or the recovery of the same, together with interest from the date the said instalments were due. Subscriptions,
how paid.

SECTION 6. That the president and managers of said association shall procure certificates or evidences of stock, and shall deliver one or more certificate or evidences, signed by the president and countersigned by the treasurer, and sealed with the common seal of the corporation, to each person or party entitled to receive the same, according to the number of shares held by him, her or them respectively, which certificates or evidences of stock shall be transferable at the pleasure of the holder, in a suitable book or books to be kept by the company for that purpose, in person or by attorney duly authorized, in the pre- Certificates of
stock.

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sence of the president or treasurer, subject, however, to all payments due or to become due thereon.

Vacancies.

SECTION 7. That in case of the death, resignation or otherwise of any of the elective officers, the board of managers shall have power to fill the vacancy until the next annual election.

Reservation.

SECTION 8. That the legislature hereby reserves the right to alter or amend the charter hereby granted, whenever in the opinion it may be injurious to the citizens of the commonwealth in such manner, however, that no injustice shall be done to the incorporators.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 102.

A FURTHER SUPPLEMENT

To an act to incorporate the Gettysburg Railroad Company, approved twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-one.

May borrow money.

Mortgage road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Gettysburg railroad company shall have power, and is hereby authorized to borrow money, and to execute bonds or obligations for the payment of said money, to an amount not exceeding two hundred thousand dollars, and bearing interest at a rate not exceeding seven per cent. per annum, and to secure said bonds or obligations by a mortgage or mortgages on their lands, tenements, railroad, works, franchises, tolls, revenues, rights and privileges, or such part thereof as they may deem best; which mortgage or mortgages, when duly executed and recorded, is or are hereby declared to be good and valid as a lien or liens on the subject matter mortgaged, to all intents and purposes; and the remedies upon such bonds, obligations, mortgage or mortgages, shall be the same as are now provided or used in the case of such instruments, executed by natural persons; and if, in the pursuance of any of the said remedies, a sale shall be made of the lands, tenements, railroad, works, franchises, tolls, revenues, rights and privileges of the company, or any part thereof mortgaged as aforesaid, the purchaser or purchasers thereof, their heirs or assigns, shall take and hold the same interest therein, as was held by and vested in the said company at the execution of said mortgage or mortgages, with all the powers, rights and privileges, and under

same restrictions as said company had and held the same: *Provided*, That no bond or obligation hereby authorized to be executed, shall be for a less sum than one hundred dollars.

SECTION 2. That the time for the commencement of the work *Limitation* of construction of said railroad, be and the same is hereby extended two years from the expiration thereof.

SECTION 3. That the last proviso in the second section of the *Repeal* supplement to the act incorporating the Gettysburg railroad company, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 103.

AN ACT

For the relief of Pascal Yearley.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be and he is hereby authorized and directed to pay to Pascal Yearley, of the city of Philadelphia, his heirs or assigns, the sum of ten hundred and three dollars, being the amount found to be due him, and payable to him for labor and materials furnished at the Schuylkill depot, on the road to avoid the inclined plane, by the commissioners appointed under the twenty-ninth section of the act, entitled "An Act to provide for the ordinary expenses of government, the repairs of the public canals and railroads, and other general and special appropriations," passed May ninth, one thousand eight hundred and fifty-four.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 104.

A SUPPLEMENT

To an act to incorporate the Navigation Railroad Company, approved April twentieth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Navigation railroad company be and they are hereby authorized to fix the eastern terminus of their railroad either at Auburn or Port Clinton, in the county of Schuylkill, or as near to either place as may be advantageous to the company, and make either point the place of beginning of their said railroad.

Terminus of road.

Corporators changed.

SECTION 2. That Samuel Boyer, Charles W. Clemens, Jonas Rabenhold, John Horn, junior, James Lyon, George W. Nice, Daniel R. Bennett, Bernard Reilly, William De Haven, Elwood Morris, Nathaniel F. Jones, of Schuylkill county, shall be substituted as incorporators, instead of the persons named in the act to which this is a supplement. §

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 105.

AN ACT

Supplementary to an act to incorporate the Commercial Mutual Insurance Company, approved May twentieth, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the Commercial mutual insurance company shall have the power to change the termination of the business year of the said company, and also to change the time for the election of directors of the said company, to any period they may deem convenient.

SECTION 2. That section ninth of the said act is hereby amended, by striking out "six per cent. on the amount of the

capital stock paid in," and there shall be inserted in the place thereof "two dollars per share on the amount of the capital stock subscribed."

SECTION 3. That section twelve of the said act is hereby amended, by striking out "company," where it first occurs in the said section, and there shall be inserted in place thereof "stockholders."

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 106.

SUPPLEMENT

To an act incorporating the Lewistown Gas Company, in Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all persons who shall subscribe to the stock of the Lewistown gas company previous to the election to be held on the third Saturday of March, one thousand eight hundred and fifty-six, and paid five dollars on each share of stock so subscribed, as well as all instalments that may have been called in previous to the fifth of March, one thousand eight hundred and fifty-six, shall be permitted to vote for president and managers of said company; and at every subsequent election, no share shall confer a right of voting which shall not have been holden bona fide two calendar months prior to the day of election, and not transferred for the purpose of voting at such election. Who may vote.

SECTION 2. That the commissioners to receive subscriptions to the stock of said company shall, on the fifth day of March, one thousand eight hundred and fifty-six, hand over and transfer the stock books, papers, &c., relating thereto to the president and managers of said company, or such person as a majority of said board of managers shall designate, and that the office and duties of said commissioners shall then cease and determine; and if there be not stock sufficient subscribed for the erection and completion of said gas works, the president and managers of said company are hereby authorized, without further notice, to receive subscriptions to the stock of the Lewistown gas company to such an amount as may be deemed necessary, not exceeding in the whole thirty thousand dollars. That all provisions Duty of commissioners.
Additional stock authorised.

LAWS OF PENNSYLVANIA,

in the act incorporating said company, conflicting with this act, be and the same are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 107.

AN ACT

To transfer Crows Island from Dauphin to Perry county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain island lying in the Susquehanna river, in Upper Paxton township, Dauphin county, belonging to George Blattenberger, and known by the name of Crows island, be and the same is hereby declared to be attached to, and hereafter become a part of Perry county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 108.

AN ACT

Authorizing the State Treasurer to pay to Means and Edwards certain moneys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be directed to pay to Means and Edwards

contractors for building the two and five-eighths miles of the North Branch Pennsylvania canal adjoining the state line, the sum of six thousand six hundred and eight dollars and twenty-five cents, for work done by them in addition to their contract, from the fund appropriated by the act of May seventh, one thousand eight hundred and fifty-five, for the payment of debts due on said line.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 109.

A SUPPLEMENT

To the act incorporating a company to make a Plank Road from Hopewell to Bloody Run, in Bedford county, approved March twenty-seventh, eighteen hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That *Name changed.* the company organized under and by virtue of the act to which this is a supplement, shall be known by the name, style and title of "The Hopewell and Bloody Run plank and turnpike road company."

SECTION 2. That said company shall have power to construct *Clay road.* and complete such parts of said road with clay or gravel, wherever the ground over which the same passes will admit.

SECTION 3. That said company shall have power to construct *Plank or turnpike* a plank or turnpike road, or part plank and part turnpike, from the village of Pattonville, in said county, to intersect their said road from Hopewell to Bloody Run, at any point they may deem proper.

SECTION 4. That the president and managers of said company shall have power, if it be deemed expedient and necessary, to *Capital may be increased.* increase the capital stock of said company to any number of shares not exceeding two thousand of twenty-five dollars each.

SECTION 5. That it shall be lawful for the Hopewell coal and iron company, the Bedford Mineral Springs association, the Broadtop improvement company, or any railroad, canal, coal or improvement company in this commonwealth, to subscribe to the capital stock of the company incorporated by the act to which this is a supplement; said subscriptions to be made by and in the name of the president of any of said companies for the time being, upon the consent of a majority of the stock-

LAWS OF PENNSYLVANIA,

holders thereof, represented at any meeting of the corporate authorities duly convened for that purpose.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 110.

A SUPPLEMENT

To an act relative to the erection of a Bridge over the Youghiogheny river, in Fayette county, approved the twenty-fourth day February, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the company incorporated by the act to which this is a supplement, is hereby authorized to construct the bridge therein named at a height above the water, and at a distance between the piers, not less than those of the bridge over the same stream at Conellaville.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 111.

A SUPPLEMENT

To an act authorizing the laying out of a State Road from Meadville, in Crawford county, to New Wilmington, in Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the commissioners named in the act to which this is a supplement, locate said road by way of Cochranston, and the surveyor employed to make said location, shall receive two dollars and fifty cents per day for his services; but if James A. Leech or Henry Beatty act as surveyor, in addition to his duties as commissioner, then he shall be allowed the sum of one dollar in addition to his per diem allowance as commissioner. Pay of officers.

SECTION 2. That the proviso of the eighth section to which this is a supplement, is hereby repealed, and the time for making said location is hereby extended until the twentieth day of October next. Repeal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 112.

AN ACT

To incorporate the Clarion and Mahoning Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas M'Cullough, Joseph Buffington, J. B. Loomis, George W. Arnold, Jeremiah Bonner, Robert Orr, James B. Lawson, Lindsey C. Pritner, Samuel Wilson, (of Strattonville,) J. Patton Lyon, J. N. Hetherington and D. B. Craig, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Clarion and Mahoning turnpike company, with power to construct a turnpike road from the borough of Clarion, in Clarion county, to the Allegheny Valley railroad, at or near the mouth of Mahoning creek, in Armstrong county, or at such other point on said railroad, and by such route or routes as the majority of the managers may determine upon, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are consistent with this act. Commissioners. Style. Route. Subject to.

SECTION 2. That the capital stock of said company shall consist of twelve hundred shares of twenty-five dollars each, with power to increase their stock to eighteen hundred shares of like amount. Capital stock.

Location of road. SECTION 3. That said company shall have the right to construct their road upon any of the public roads between the points specified, or bridge or bridges that may be on said route or routes, and with power to construct any branch or branches to said turnpike road, with like privileges.

Tolls. SECTION 4. That it shall be lawful for the said company to erect and set up gate or gates, and to levy and collect tolls from persons traveling along or otherwise using said road, at the rates prescribed in the act regulating turnpike and plank road companies, already referred to, so soon as they shall have completed three miles of the said road.

Limitation. SECTION 5. That if said company shall not be organized within six months after the granting of this charter, then this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company; and that George W. Arnold, Jesse Teats and Jeremiah Bonner be appointed commissioners to view and lay out a state road between the points named in this act, by the nearest and best route, and in accordance with the provisions of an act regulating the laying out of a state road from Rimersburg, in Clarion county, to the mouth of Mahoning creek, in Armstrong county, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, except so much of said act as relates to the time of returning the survey, which time is extended to three months from the expiration of the six months hereinbefore mentioned.

State road authorized.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 113.

SUPPLEMENT

To an act authorizing the Governor to incorporate the West Chester and Great Valley Plank Road Company, approved the twelfth day of February, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time allowed in the act to which this is a supplement for the commencement and completion of the plank road therein authorized, shall be extended to another period of two years from the passage of this act; and the said act to which this is a supplement, and the charter issued in pursuance thereof, incor-

porating said plank road company, shall continue in force, and remain as valid as though the said road had been commenced and completed within the time mentioned in said act.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 114.

A FURTHER SUPPLEMENT

To an act to incorporate the Huntingdon and Broad Top Mountain Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That for the purpose of enabling the Huntingdon and Broad Top Mountain railroad and coal company to complete and equip their road and its branches, it shall and may be lawful for the directors of the company from time to time, with the consent of a majority of the stockholders present at a meeting duly convened for that purpose, to increase its capital stock to the amount requisite for the purposes aforesaid, not exceeding two hundred thousand dollars, and to sell the stock upon such terms, and at such prices as they may deem expedient; and all sales of stock heretofore made by said directors, with the sanction of a meeting of the stockholders, are hereby ratified and confirmed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 115.

AN ACT

Supplementary to the act incorporating the borough of Easton.

Election of town
council.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the third Friday of March next it shall be lawful for the qualified electors of each ward of the borough of Easton to elect three citizens, resident in such ward, as members of town council, who shall, within ten days after such election, divide themselves by lot into three classes, so that one member shall serve for one year, one member shall serve for two years, and one member shall serve for three years from each ward; and annually thereafter on the third Friday of March in each succeeding year, the qualified electors of each ward shall elect one member of town council for three years, and vacancies shall be supplied as now provided by law; the person to be appointed or elected to fill such vacancy to be a resident of the same ward as the member whose place he is to supply.

Burgess.

SECTION 2. That on the day of election of members of town council, the qualified electors of the borough of Easton shall elect one citizen of the said borough to serve as chief burgess thereof for the ensuing year, who shall be clothed with all the powers and authorities now vested in the chief burgess of said borough, and who shall receive from the borough treasury a salary not exceeding one hundred dollars per annum, and shall be entitled to receive the same fees for similar purposes to which justices of the peace are or shall be entitled, and who may be removed from office, as now provided by law; and at the same time and in the same manner there shall be elected a borough treasurer, to serve for one year, at a salary not exceeding two hundred dollars, to be paid out of the borough funds, who shall receive and disburse all the borough and school funds of the said borough; and one borough collector, to serve for one year, at a salary not exceeding five hundred dollars per annum, who shall collect the borough and school taxes of the borough, with the same powers and authorities to collect the same as are now given to the collectors of state and county taxes; and they shall elect at the same time a high constable for said borough for one year, whose salary shall not exceed the sum of three hundred dollars; and the said treasurer and collector shall respectively, before they enter upon the duties of their offices, give bond to the commonwealth, in trust for the use of all parties interested, with two or more sureties, to be approved by the chief burgess, in the sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office.

Borough trea-
surer.

Collector.

High constable.

School directors.

SECTION 3. That in lieu of the manner now prescribed by law, the qualified electors of each ward of said borough shall, at the time aforesaid, elect three school directors, who shall, within ten days after their election, divide themselves by lot into three classes in each ward, one director to serve for one year, one director to serve for two years, and one director to serve for three years; and annually thereafter, at the time of electing mem-

bers of the town council, the qualified electors of each ward of said borough shall elect one school director to serve for three years; and the said school directors shall be clothed with full power and authority to perform all duties now by law conferred upon school directors within said borough; and the said borough shall compose one school district, with liberty to appoint a borough superintendent of schools, at a salary not exceeding five hundred dollars per annum, who shall report to the county superintendent annually, as the school directors are now by law required to do.

SECTION 4. That at the time of electing members of the town council, the qualified electors of each ward in said borough, shall annually elect one auditor of accounts of said borough to serve for one year; and the auditors so elected, or a majority of them, shall have full power and authority to settle the accounts of all the officers of the said borough, as well as of the school directors thereof; and the first elected auditors shall have the power to re-examine, settle and report upon the accounts of the school directors, and officers of the said school directors, for four years last past, and any balance found due from any officer or director, may be recovered by the corporation of the borough of Easton, from such person so found indebted, as debts of like amount are by law recoverable, and the report of such auditors shall be evidence of such indebtedness: *Provided*, That any person feeling himself aggrieved by such reports, may appeal therefrom to the court of common pleas of Northampton county within thirty days thereafter, in the same manner that parties may now appeal from awards of arbitrators; and the said parties shall thereupon make up an issue, so as to try the matter in dispute as in other actions.

Auditors of accounts.

Their powers.

Appeal.

SECTION 5. That the town council of the said borough of Easton shall appoint one watchman or police officer for each of the wards of the said borough, who shall attend to lighting the town, and perform such other duties as may be assigned them by the town council or chief burgess, and shall each receive a compensation not exceeding the rate of two hundred dollars per annum; and it shall also be lawful for the said town council to designate the duties of the constable, and all other municipal officers of said borough, whose duties are not herein specifically set forth, and to remove all such officers as shall have been appointed by them for sufficient cause, and to fill any vacancies that may occur in the municipal offices in the said borough, or in their own body, until the end of the year for which such officers may have been elected or appointed; and the said high constable shall be entitled to the same fees for serving process, as are now payable to other constables.

Watchman.

Other officers.

SECTION 6. That so much of the act incorporating the said borough of Easton, or any ordinance of said borough, passed in pursuance thereof, or so much of the school law relating to said borough, as is hereby altered or supplied, be and the same is hereby repealed.

Repeal.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 116.

A N A C T

Relating to the Lehigh Valley Railroad Company.

Construction of
road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lehigh Valley railroad company be and they are hereby authorized and empowered to complete the construction of a railroad, with as many tracks as may be required, from the river Delaware, near Easton, up the valley of the Lehigh river, to a point at or near the mouth of the Mahoning creek, above the Lehigh Water Gap, thence to some point in Schuylkill county, with right to connect with the railroad of the Little Schuylkill navigation railroad and coal company at or near Tamqua, with the right also to connect with the railroad of the Beaver Meadow railroad and coal company.

Increase of capital.

SECTION 2. That in addition to the capital stock heretofore authorized to be issued, the said Lehigh Valley railroad company be and they are hereby authorized and empowered to issue from time to time, and to sell and dispose of the same, as the wants of the said company may require, sixty thousand shares of the capital stock of said company, at the par value of fifty dollars per share, and apply the proceeds thereof to the construction of said railroad, procuring locomotives and cars, erecting depots, water stations, et cetera, as required to accommodate the business of said railroad, and for no other purpose whatsoever; and that the time for commencing said road shall be within six months, and completed within two years from the passage of this act.

Subject to.

SECTION 3. That the said Lehigh Valley railroad company shall have all the rights, powers and privileges, and be subject to all the restrictions, provisions and liabilities of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine; and that the act incorporating the Delaware, Lehigh, Schuylkill and Susquehanna railroad company, approved the twenty-first day of April, one thousand eight hundred and forty-six, be and the same is hereby repealed, but that the several supplements thereto be and remain in full force and virtue: *Provided however,* That nothing contained in this act, shall be construed to repeal any restrictions contained in former acts, in relation to the construction of the said railroad, so as not to interfere with the works of the Lehigh coal and navigation company, nor in any manner to release the Lehigh Valley railroad company from any obligation imposed upon said company by any contracts or agreements heretofore made between the said Lehigh Valley railroad company, and the Lehigh coal and navi-

Repeal.

Proviso.

gation company, in relation to the location or construction of the said Lehigh Valley railroad.

RICHARDSON L WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 117.

A SUPPLEMENT

To the charter of the Easton Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the owners of the freehold in and upon which said water is so taken and used, shall in all cases be the parties with whom such contract for the use of the water shall be made, and the said real estate be bound for and liable for the payment of the same, reserving to the company the right to contract with the lessee or tenant, on the responsibility of the lessees or tenants, if they see proper so to do; and any person or persons within the said borough who shall take any of said water for domestic or other uses, without having previously contracted for the same with the said president and managers, shall forfeit and pay for every such offence, any sum not exceeding the sum of fifty dollars to the president and managers, for the use of the company, to be recovered before a justice of the peace by action of debt or assumpsit, in the same manner as debts of equal amounts are now recoverable.

Contracts for water.

Liability of persons using water.

SECTION 2. That if any person or persons or body politic, who shall have contracted with the said company for the use of said water, shall wantonly or unnecessarily waste the same, to the injury of said company, or shall permit any other person or persons not being by the said contract entitled to the use of the same, or shall neglect or fail to pay to the said company the amount of money by him, her or them agreed upon, to be paid as a compensation for the use of said water, for the period of three months after the same shall be due and payable, according to the terms of said contract, it shall be lawful for the president and managers to withhold and cut off such water from the premises of such individual or body politic and corporate until all such damage, with interest and cost of recovering the same, shall be paid: *Provided*, That nothing herein shall be so construed as to affect, impair or take away the right

Water may be withheld.

of said company to sue for and recover the amount of such arrearages.

Penalty for injuries to works.

SECTION 3. That if any person or persons shall wilfully destroy or injure, in any manner, the pipes, aqueduct, cisterns, reservoir, hydrants, fire plugs or any of them, or any of the works of said company, and that if any person shall wilfully take, lead, conduct or carry off, or shall knowingly suffer or permit to be taken, led, conducted or carried off any offal or any putrid, nauseous or offensive matter, from any dye-house, slaughter-house, still-house, brew-house, tan-yard, or shall draw the water from the barn yard or stable, or from any manufactory, or shall cast or wilfully suffer to fall into the race, dam or head of the water-house, or into any spring, reservoir or reservoirs erected or to be erected by said company, or shall bathe or swim in said race or dam, between the water-house and the borough line, or in the reservoir or reservoirs, or shall throw or cause to be thrown any carrion or carcass of any dead body of any animal, or shall entice, throw, lead or conduct any dog or other animal therein, or any matter or liquid calculated to render the water of said rivers, springs or reservoir or reservoirs impure, or use without permission the stream or streams of water which is or shall be conveyed or brought through the borough of Easton by the said company, on being convicted thereof before any justice of the peace in and for the county of Northampton, by the oath or affirmation of one or more credible witnesses, shall pay a fine not exceeding fifty dollars, one-half to go to the poor of said county and the other half to the informer, and shall moreover remain liable for all damages to the company.

May borrow money.

SECTION 4. That it shall be lawful for the Easton water company to borrow, on the credit of the said company, any sum of money not exceeding twenty thousand dollars, at a rate not exceeding six per cent. per annum, and to issue bonds therefor in any sums not less than one hundred dollars: *Provided*, That the said company is hereby authorized to sell or dispose of the bonds so issued, for any sum or sums less than the amount for which the same shall be issued.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 118.

AN ACT

To legitimate Malinda Florence Rerer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Malinda Florence Rerer, daughter of Jacob Rerer of Portsmouth, Dauphin county, shall have and enjoy all the rights and privileges of a legitimate child of the said Jacob Rerer, and shall be able and capable in law to inherit and transmit to her children, or other immediate descendants, or to the heirs of her said father, any estate whatsoever, as fully and effectually, and to all intents and purposes, as if she had been born in lawful wedlock.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 119.

AN ACT

To incorporate the Hales Eddy and Wayne Borough Turnpike Road Company, in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Guernsey Osbern, E. P. Strong, James Mumford, J. P. Shaw, William Sampson, Jesse Whitaker, Jr., David Allen, Elias Greenman, Hallack Erley, Edward L. Spain, Elisha Alexander, John O. Whitaker and Nelson H. Hotchkiss, any five or more of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of Hales Eddy and Wayne Borough Turnpike and Macadamized road company, to locate and construct an artificial road of stone macadamized, or gravel, or partly of one kind and partly of another, from Wayne borough to the New York state line, at or near the house of Elisha Alexander, near Hales Eddy, subject to all the provisions and re-

Commissioners.

Style.

Route.

Subject to. strictions of an act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

Capital stock. SECTION 2. That the capital stock of said company shall consist of four hundred shares, of twenty-five dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock, if it shall be necessary to carry out the true intent and meaning of this act.

Limitation. SECTION 3. That if the said company shall not commence the construction of said road within two years from the passage of this act, and complete the same within three years thereafter, then this act shall become null and void, except so far as to wind up the affairs and pay the debts of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 120.

AN ACT

To authorize the Canal Commissioners to examine the Claim of Samuel Caldwell.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized to examine the claim of Samuel Caldwell, of Lyeoming county, for damages to his property, alleged to have been sustained by him in repairing the West Branch canal, and report the amount, if any, to the legislature.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 121.

AN ACT

Authorizing the Commissioners of Perry county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the present board of commissioners of the county of Perry, and their successors in office, be and are hereby authorized and empowered to borrow, on the credit of the said county of Perry, such sum or sums of money, as in the discretion of the said commissioners, and their successors, shall be necessary to pay liabilities, and defray current expenses of the said county: Provided, That in no one year shall the amount borrowed exceed one thousand dollars.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 122.

A FURTHER SUPPLEMENT

To an act to erect Norristown, in Montgomery county, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the inhabitants of the borough of Norristown, in the county of Montgomery, qualified to vote for members of the general assembly, and who shall have resided within said borough ten days immediately preceding the election, and within one year paid a borough tax, shall, on the third Friday of March next elect, out of such of the inhabitants residing within said borough as are or may be qualified to serve as members of the said general assembly, fifteen suitable persons to serve as members of the town council of said borough; and the five persons who shall have the greatest number of votes, shall be members of the town council for the three years next following; the five persons who shall have the next greatest number of votes, shall*

Election of members of town council.

be members of the town council for two years next following, and the five persons who shall have the next greatest number of votes, shall be members of the town council for one year next following; and that on the third Friday of March annually thereafter, five persons qualified as aforesaid, shall be chosen as aforesaid, to serve as members of the town council of said borough for the term of three years: *Provided always*, That no person shall be excluded from being elected, on account of his having before filled the office of town councilman; and that in all cases where the number of votes shall be equal for two or more candidates, the preference shall be decided by lot, to be drawn by one of the judges, in the presence of the other judges and inspectors of the election.

Elections, how held.

SECTION 2. That all elections to be held in pursuance and by virtue of this act, shall be held and conducted at the place, and in the same manner as by the laws of this commonwealth is or shall be directed for holding the general election for persons to serve in the general assembly of this commonwealth, and the judges and inspectors of the general election shall conduct and superintend the same, under and subject to the same rules and penalties as are or may be prescribed for holding such general election.

Returns of election.

SECTION 3. That when each election so had and held in pursuance of this act shall be closed, and the number of votes for each person shall be ascertained, the judges of the election, or a majority of them shall prepare and make, under their respective hands and seals, a return thereof, containing the names of the members of the town council elect, with the number of votes in favor of each, and shall within twenty-four hours after the closing of such election, give notice in writing to each of the members of the town council elect, of their respective elections; and shall also deliver, or cause to be delivered the said return, together with the tickets, lists of tally papers and other documents sealed up, to the board of councilmen, at the time and place in and by this act appointed for them to meet and receive the same.

Meeting of council.

SECTION 4. That the members of the town council who shall be elected on the third Friday in March next, as aforesaid, shall meet together at the usual place of meeting of the town council, between the hours of nine and eleven in the forenoon, on the fourth day next after the said election, and then and there shall receive the returns of the said election, and forthwith proceed to examine the same; and such of the members elect whose seats in the council board shall not be disputed, shall, after being duly qualified according to existing laws, proceed to decide the rights of others to disputed seats, if any such there be, and if, in their judgment, the case require it, may declare such seats vacant, and order a new election, and the persons who shall, at every election after the third Friday in March next, have the highest number of votes for members of town council, together with the members whose term shall not have expired, shall meet together at the usual place of meeting of the town council, between the hours of nine and eleven in the forenoon, on the fourth day next subsequent to each and every election to be held in pursuance of this act, and then and there shall receive the said returns of members of town council elect, and shall forthwith proceed to examine the same, and to judge and determine thereon, and for that purpose they or a majority of them

so met shall have full power and authority to judge thereof and and confirm or set aside the same, and to order a new election or elections, as the case may require.

SECTION 5. That if any member of the town council shall misbehave in his said office, or shall neglect to discharge the duties thereof, it shall and may be lawful for any number not less than ten of the said members of town council to remove, in a summary way, any such member from his said office and declare his seat vacant. Removals.

SECTION 6. That in case any vacancy shall happen by death, removal or otherwise, such vacancy may be supplied at the next general election, or a majority of the town council may appoint a special election for supplying such vacancy, of which they shall cause to be given at least six days' notice by hand-bills posted up in at least ten of the most public places within each ward in the said borough, and such election shall be conducted and the proper return thereof made in manner and form as hereinbefore directed, and the person so chosen and approved as aforesaid shall be a member of the town council for the remainder of the term that the member in whose place he was elected had been elected for. Vacancies.

SECTION 7. That the majority of the whole number of the said members of town council shall be a quorum for transacting all business except for the purchase and sale of real estate, for mortgaging or incumbering the same, or for borrowing money, for which purpose a concurrence of two-thirds of the whole number of the members of town council shall be essential; and the said members of town council shall not receive any compensation for their services, and at all their meetings the door of their council chamber or hall shall be open for the admission of any peaceable and orderly citizen, and all elections and appointments held and made by the said members of town council shall be *viva voce* and not otherwise. Quorum.

SECTION 8. That hereafter the annual taxes for said borough shall be levied and assessed by the town council on or before the last Monday in May in each year, and shall not exceed one cent in the dollar on the valuation of taxable property as taken for county rates and levies, and the town clerk shall, immediately after every such assessment, make out a duplicate of the same, and the president of the council shall issue his warrant with the duplicate aforesaid to the treasurer of the borough to collect the said tax; and the council shall have the right at all times to make such abatements or exonerations for mistakes or indigent persons as to them shall appear just and reasonable; and upon the receipt of the said warrant and duplicate, the said treasurer shall give public notice by not less than ten written or printed advertisements, posted in the most public places in each of the wards of said borough, of the time and of his attendance and readiness to receive such tax, which time so fixed shall not be less than six consecutive hours during one day in each week thereafter, prior to the thirty-first day of December in each year; and it shall be the duty of the treasurer to be in attendance at the time and place fixed by him as aforesaid for receiving the said tax, and all persons paying their said taxes within the year for which they are assessed, shall be allowed an abatement by the said treasurer at the rate of twelve per cent. per annum from the day of payment until the end of the year, and all taxes remaining unpaid after the thirty-first day of Decem-

Assessment and collection of taxes

ber in each year shall be collected in manner following: It shall be the duty of the said treasurer to issue his warrant, with a schedule of such unpaid tax, and the names of the persons respectively to whom the same is charged in the proper duplicate, directed to any constable of the borough, whose duty it is hereby made to receive the same, authorizing and requiring him to demand and receive from the persons named in the said schedule the sums with which they are therein charged respectively, together with five per cent. on the amount thereof, which per centage shall in all cases be collected and retained by such constable for his compensation, and vesting him with like powers and authorities given to collectors of county rates and levies by the laws of this commonwealth, and the amount so collected, less the per centage, shall be paid into the treasury for the use of the corporation.

Bonds.

SECTION 9. That before the delivery to the constable of the warrant and schedule as aforesaid, the said treasurer shall require from him sufficient bond and security for the payment of the amount of the tax contained in said schedule; and if said constable shall fail to give the security required, the said treasurer shall appoint another person of the said borough to collect the said unpaid tax, who shall have the same power, and receive the same compensation for the performance of this duty, as the constable aforesaid; and if, in the opinion of the treasurer, the person so appointed shall own a freehold estate, which is of itself a sufficient security for the payment of the amount of such tax, the said treasurer may dispense with any further security; and the person so appointed failing to take upon himself the duties of his appointment, shall forfeit and pay the sum of fifty dollars for the use of the said borough.

Duty of treasurer

SECTION 10. That the said treasurer shall provide himself with a book, at the expense of the said corporation, in which the name of each taxable shall be entered, at the time he, she, or they shall pay their respective taxes, together with the amount charged against such taxable, the amount paid, the time when paid, and the specific abatement made; which book shall be kept in tabular form, so as to exhibit at one view, the true and full account of every such taxable; and at the time of making such entries respectively, the said treasurer shall write the word "paid" in his duplicate, opposite the name of the person paying his said taxes, and at every regular meeting of the council, the said treasurer shall furnish to the council a transcript from his said book, of the transaction therein during the month preceding the first day of the month in which such meetings are held; the said treasurer shall also enter in the said book all other moneys received by him, for the use of the said borough, and furnish to the council, at their next regular meeting after the receipt of such other moneys, an account of the specific amounts received by him, and from whom received; and at all other times when required by the town council the said treasurer shall render an account of the moneys in his hands, and for all his services he shall receive two per centum on all the moneys received by him, except such as may be collected under the warrant issued by him as provided in the eighth section of this act.

Taxes made liens

SECTION 11. That all taxes which may be hereafter lawfully imposed and assessed as aforesaid, shall be a lien on the real estate upon which they are assessed, and shall be paid in prefer-

ence to any other subsequent incumbrance on such property; and in addition to the other remedies in this act provided for the recovery of the same, may be collected by an action of debt against the owner or owners of any such property, before any tribunal having jurisdiction of the amount.

SECTION 12. That the town council shall cause all accounts of receipts and expenditures of moneys to be published up to the first day of March, inclusive, in each and every year, within ten days thereafter, and vouchers in support of all charges may be viewed at reasonable hours, by any taxable inhabitant owning property within the limits of the corporation, who may demand the inspection thereof; and the said council shall also keep regular minutes of their proceedings, which may be examined by like persons, and at like times, as the accounts aforesaid. Annual account.

SECTION 13. That hereafter it shall be lawful for the town council of the said borough, to appoint either one or more persons to act as street and road commissioners of the said borough. Street commissioners.

SECTION 14. That each of the officers appointed by the town council of said borough, shall before entering upon the duties of his office, take and subscribe a solemn oath or affirmation well and faithful to perform and execute the same, but no member of the town council shall be appointed to any office to which a compensation is attached, nor shall any member of the town council be surety for any officer or officers, from whom, by any law or ordinance of said borough surety may be required. Officers to be sworn.

SECTION 15. That the present members of the town council of said borough, shall continue to hold their office until the members authorized to be elected on the third Friday of March next, shall be duly qualified. Council continued.

SECTION 16. That so much of any act or acts of assembly as may conflict herewith, be and the same is hereby repealed, so far as respects this borough, saving the right of collection of any taxes hereinbefore laid and uncollected under such act or acts, and all ordinances, resolutions, rules and regulations heretofore made, ordained and enacted by the town council of said borough, not contrary to the laws or constitution of this commonwealth, shall be and remain in as full force and effect, until repealed, altered, supplied by the said town council, as if this act had not been passed, and shall be held, taken, and deemed to have been duly promulgated without requiring proof of such promulgation; and all acts of assembly relating to the said borough, and in force after the passage of this act, and all ordinances, resolutions, rules and regulations of the said borough now in force, shall be held, taken, and deemed to apply to all the inhabitants of the said borough, and the territory thereof, as extended by the act of assembly, entitled "An act to extend the limits of the borough of Norristown, in the county of Montgomery," et cetera, passed the twenty-sixth day of March, one thousand eight hundred and fifty-three. Repeal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 123.

AN ACT

Relating to returns by Collectors of Taxes upon Unseated Lands in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the commissioners of Erie county and they are hereby required to receive, at any time for thirty days after the passage of this act, from any collector of taxes in said county who has omitted to make a return of unseated lands or lots, as now required by law, such lists of unseated lands or lots, in their respective townships or wards, upon which either the state, county, school, city or road taxes for the year one thousand eight hundred and fifty-four remain due and unpaid, to be received in like manner and with the same force and effect as if the same had been returned before the close of the year one thousand eight hundred and fifty-four; and sales by the treasurer of said Erie county, if any, of such lands or lots for said taxes, (in whole or in part,) which shall hereafter be made, in all other particulars in conformity with the laws of this commonwealth, shall be as valid and effectual as if the said list of unseated lands or lots had been made within the time and in the ordinary manner: Provided however, That no sale shall be made of any such unseated lands or lots so returned as aforesaid, in pursuance of the provisions of this act, before the expiration of two years from the passage of the same.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 124.

A N A C T

to authorize the Delaware, Lackawanna and Western Railroad Company
to borrow money.

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Delaware, Lackawanna and Western Railroad Company, to issue bonds or certificates of loan to an amount not exceeding two millions and six hundred thousand dollars, bearing interest at a rate not exceeding seven per cent. per annum, the proceeds thereof to be applied to the completion and equipment of their railroad, and other necessary purposes within their corporate powers, and to secure the payment of such bonds or certificates, by a mortgage upon the whole or any part of their property, rights and franchises, subject to any existing incumbrances thereon: *Provided,* That no bond or certificate thus issued, shall be for a less sum than five hundred dollars: *And provided further,* That no plea of usury shall, in any case whatever, be interposed to evade or defeat the payment of any of the obligations of said company, incurred in pursuance of this act, and that said company shall keep two-thirds of the carrying capacity of said road for public use in transporting coal, if the public demands require it, at reasonable rates of charge therefor, from Scranton eastward.

May borrow money.

Give mortgage.

Proviso.

Section 2. That said company shall not, at any time hereafter, have the right to purchase anthracite coal, mined from other lands than their own, when their charges from Scranton, Luzerne county, to Elizabethport, in New Jersey, for the use of the road and motive power in the transportation of anthracite coal, shall exceed two cents per ton per mile.

Purchase of coal regulated.

Section 3. That said company may purchase and hold, at or near Elizabethport, in the state of New Jersey, such quantity of land as may be necessary for depot, wharfage and coal yard accommodations for their business, not exceeding fifty acres.

May buy land.

Section 4. That the powers conferred upon said company to construct branch and lateral roads, shall authorize them to construct such roads at any point on the line of their main road, as well on the west as on the east side of the Lackawanna creek, and they may proceed to procure the right of way, and materials therefor, in the manner now provided relative to their main road.

Branch roads.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 125.

SUPPLEMENT

To an act incorporating the East Liberty and Penn Township Plank Road Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two.

Tolls.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* in lieu of the tolls now chargeable, the president and managers of the East Liberty and Penn Township plank road company shall be and they are hereby empowered to charge on carts and wagons laden with coal, sand or lime, passing over said road a distance not exceeding three miles, at a rate not exceeding one-half cent per mile for one horse drawing the same, and for each additional horse not exceeding two cents.

May borrow money.

SECTION 2. That the said plank road company be and is hereby authorized to borrow money, not exceeding in amount six thousand dollars, for the construction and repair of said road and to pay the debts of said company, at any rate of interest not exceeding six per cent. per annum, and upon the said loan or any part thereof, in amount not less than one hundred dollars, being taken by any person or persons, the president of said company is authorized to issue bonds, in amount not less than one hundred dollars, for said loan, or so much thereof as may be taken, payable at any time before the first day of January, Anno Domini one thousand eight hundred and sixty; said bonds shall be signed by the president of the said company, and interest thereon shall be paid semi-annually by the treasurer on demand, and the treasurer is authorized to pay the principal at the maturity of the bonds.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives
WM. M. PIATT,
Speaker of the Senate

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

No. 126.

AN ACT

Relative to Orrsville, in Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

part of the twenty-seventh section of an act, entitled "An act relating to certain townships, boroughs, and election districts, and to the erection of a lock-up house in the borough of Ridgeport, Fayette county," approved the eleventh day of March, one thousand eight hundred and fifty-three, which annexes Orrsville, in Pine township, Armstrong county, to Madison township, in said county, for election purposes, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 127.

AN ACT

to change the place of holding the general and township elections for the townships of Latimore and Huntington, in the county of Adams.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the general election for the township of Latimore and Huntington, and also the township election for the township of Huntington, in the county of Adams, shall be held at the public house of Caleb Hildebrand, in the town of Petersburg, in said county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 128.

A FURTHER SUPPLEMENT

To an act passed the eleventh March, one thousand eight hundred and twenty-six, entitled "An Act authorizing the Governor to incorporate the Lackawanna and Susquehanna Railroad Company."

May borrow
money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lackawanna railroad company be and they are hereby authorized, in addition to the sums which they have been heretofore authorized to borrow, to borrow any sum not exceeding two hundred and fifty thousand dollars, at a rate of interest not exceeding seven per centum per annum, and to secure the same in any manner the managers of said company may deem proper.

Annual election.

SECTION 2. That the annual election for officers of said company shall be held at such place, in the county of Luzerne, as shall be fixed by the board of managers, of which notice shall be given, by any officer of said company, in one or more newspapers published in said county, at least twenty days prior thereto; and so much of said act, or of any supplement thereto as requires that the meetings of said managers shall be held in Pennsylvania, be and the same is hereby repealed; and at any election of the stockholders of said company each share shall be entitled to one vote.

May hold land in
other states.

SECTION 3. That said company may hold, when authorized so to do by the laws of other states, such lands and tenements in such other states as may be deemed by the board of managers convenient and necessary for the carrying on of the legitimate business of said company, not exceeding twenty acres at any one place.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 129.

A N A C T

Relating to Elections in the city of Erie.

WHEREAS, By sundry acts of assembly provision is made for holding all elections in the city of Erie at the court house therein, since the passage of which acts a new court house has been erected in said city, and the use of the old one for court purposes discontinued, and difficulties and doubts have in consequence arisen as to whether the elections in said city should be holden at the new or the old court house; for remedy whereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That until otherwise provided, the place for holding all elections in the city of Erie, local, municipal, as well as general, shall be at the old court house, in said city, where all such elections have heretofore been held.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 130.

A N A C T

For the relief of the widow of Joseph C. Channell, of Lancaster county, deceased.

WHEREAS, Joseph C. Channell, late of the city of Lancaster, was killed at Penningtonville, in Chester county, (on the morning of the ninth of November, one thousand eight hundred and fifty-five) on the Columbia and Philadelphia railway, whilst in the service of the state, and at the time in performance of his duties as a faithful fireman:

And whereas, The said Joseph C. Channell had been in the employ of the state for about two years as fireman; during said time he was a careful fireman, and on account of his character for sobriety and honor had acquired the full confidence of the superintendent and managers of the state road:

LAWS OF PENNSYLVANIA,

And whereas, On the morning of the ninth of November last, the boiler of the locomotive "Columbia" bursted, whereby Joseph C. Channell was instantly killed:

And whereas, The said Joseph C. Channell has left a widow and a minor child to lament his loss; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Ann Mary Channell, the widow of said Joseph C. Channell, the sum of five hundred dollars.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 131.

AN ACT

Authorizing the Canal Commissioners to examine the claims of James Kerr and Jonathan M'Millin, contractors on the Erie Extension, Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized and required to examine the claims of James Kerr and Jonathan M'Millin, contractors on the Erie extension of the Pennsylvania canal, and if they find them entitled by equity and justice to additional compensation for labor performed under their contract, to report the amount so found, if any, to the Senate and House of Representatives.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 132.

A SUPPLEMENT

To an act prohibiting persons from throwing slabs in Red Bank creek and its navigable tributaries; and to incorporate a Company to build a Toll Bridge over the Allegheny river, at Emlenton, in Venango county, approved April fifth, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the tariff and rates of toll mentioned and prescribed in and by the eleventh section of the act of which this is a supplement, the president, managers and company of the Emlenton bridge, at Emlenton, their successors and assigns, are hereby empowered to demand and receive toll at not exceeding the following rates, to wit: For every head of sheep or swine, one-half cent; for every head of cattle, two cents; for every horse, mare or gelding, with or without rider, six cents; for every foot passenger, two cents; for every vehicle, carriage or wagon, of whatsoever description, used for the purpose of personal accommodation or pleasure, having either two or four wheels, twelve cents for every horse drawing the same; for every wagon or carriage, of whatsoever description, used for the purposes of trade or agriculture, having either two or four wheels, six cents for every horse drawing the same; for every sleigh or sled, six cents for every horse drawing the same; for every stage wagon, six cents for every horse drawing the same; in all cases a mule shall be estimated as a horse, and two oxen as one horse: *Provided*, That said bridge shall be constructed so as to admit any load not exceeding six tons, and drawn by not more than eight horses or oxen, at all times to cross it; and the said president and managers, however, to have the power to increase the toll to be demanded for any carriage of burden crossing the said bridge, laden with more than three tons, to any amount not exceeding treble the above rates, and to grade them according to the weight of the load and the number of horses drawing the same: *And provided also*, That no toll shall be demanded from any person attending funerals, churches, schools or going to or returning from militia trainings.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 133.

AN ACT

Supplementary to an act to incorporate the Limerick and Colebrookdale Turnpike Road Company, passed the fifteenth day of March, one thousand eight hundred and forty-seven, and the supplement thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Limerick and Colebrookdale turnpike road company are hereby authorized to extend their road from its present terminus, at where the public road intersects the said Limerick and Colebrookdale turnpike road, leading from Pottstown to Boyerstown, in Colebrookdale township, Berks county, near Jacob Bower's limekiln, to High street, in the borough of Pottstown, in the county of Montgomery; and that the said extension shall, in all respects, be subject to all and singular the provisions and penalties of the act to which this is a supplement.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 134.

AN ACT

Relating to the claim of Thomas Allen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners are hereby authorized and required to examine the claim of Thomas Allen for services rendered on the Erie extension, Pennsylvania canal, and if in their opinion the said claim is just, to settle the same, and report the amount due him (if any thing) to the Senate and House of Representatives.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 135.

A SUPPLEMENT

To the act incorporating the Philadelphia and Delaware River Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Philadelphia and Delaware River railroad company be and the same is hereby reduced to ten thousand shares, subject to all the provisions of the act to which this is a supplement; and that John F. Lamb, John Foulkrod, Peter Castor, Charles E. Kreamer, Harvey Quicksall, William W. Stratton, Joseph Deal, Richard Garsed, Charles B. Gilbert, N. Field Campion, A. K. Colhoun, James Burns, Albert G. Rowland, and Edward G. Lee, are hereby appointed additional commissioners to open books, sell stock, and organize said company.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PLATT,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 136.

AN ACT

For the relief of Elizabeth Connor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is authorized and required to pay Elizabeth Connor, of Cincinnati, state of Ohio, widow of John Connor, a soldier of the Revolutionary war, or her order, a gratuity of forty dollars, and an annuity of forty dollars a year, during the term of her natural life, commencing on the first day of January, eighteen hundred and fifty-six, and half yearly thereafter, on the first days of January and July.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PLATT,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 137.

A SUPPLEMENT

To the act to authorize the New York and Erie Railroad Company to construct said road through Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if any person shall wilfully ride, drive or lead, or cause another person to ride, drive, or lead any horse or other beast of burden faster than a walk when crossing the bridge belonging to the said New York and Erie railroad company, at Matamoras, in the county of Pike, such person shall for every such offence forfeit and pay a sum not less than five dollars, nor more than ten dollars, to be recovered before any justice of the peace in the county of Pike, by any person who may sue for the same, one-half to the informer and the other half to the overseers of the poor for the support of the poor of Westfall township, Pike county.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 138.

AN ACT

For the relief of Margaret Carter, widow of Thomas Carter, a soldier of Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and required to pay Margaret Carter, widow of Thomas Carter, of Venango county, a soldier in the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars thereafter during the term of her natural life, payable half yearly, commencing on the first of January Anno Domini one thousand eight hundred and fifty six.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

OF THE SESSION OF 1856.

No. 139.

A SUPPLEMENT

To the act incorporating the Nicholson Run and Pine Swamp Railroad Company, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name, style or title of the Nicholson Run and Pine Swamp railroad and coal company, be and the same is hereby altered, and the said company hereafter shall be known by the name, style and title of the New Castle and Darlington railroad company; and that all that part of the first section of the act incorporating said company that relates to mining, transporting and selling of coal, and the holding of coal lands, and the proviso in said first section, and all of the third and sixth sections of the act aforesaid, be and the same are hereby repealed. Name changed.
Repeal.

SECTION 2. That said company is hereby authorized to connect their road with any other railroad within the counties of Beaver or Lawrence, and to make all necessary running arrangements with the same; and any company or companies making such connections and running arrangements are hereby authorized to assist in the construction of the New Castle and Darlington railroad, by subscription to the capital stock or otherwise. Connections.

SECTION 3. That the New Castle and Darlington railroad company are hereby authorized to issue their bonds to the amount of three hundred thousand dollars, bearing interest at the rate of seven per centum per annum, and to secure the payment of the same by mortgage upon the property, rights and franchises of the company, and to dispose of said bonds at such rates and upon such terms as may be agreed upon between the parties. Bonds.

SECTION 4. That the number of directors chosen by the vote of the stockholders shall be five, and any corporation, municipal or otherwise, that may be possessed of one thousand shares or more, shall, in lieu of voting at elections for directors, appoint one director, which shall be in addition to those chosen at the election. Directors.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 140.

AN ACT

—To protect Fruit and punish Trespass in this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the wilful and malicious taking and carrying away of fruit, vegetables, plants, fruit or ornamental trees, vines or shrubs in this commonwealth, whether attached to the soil or not, shall be deemed and the same is hereby declared a misdemeanor, and may be prosecuted and punished as such under the laws of this commonwealth.*

SECTION 2. That any person or persons who shall wilfully and maliciously enter or break down, through or over any orchard, garden or yard fence, hot-bed, hot or green-house, or who shall wrongfully club, stone, cut, bark, break or otherwise mutilate or damage any nut, fruit or ornamental tree, shrub, bush, plant or vine, trellis, arbor, hot-bed, hot or green-house, or who shall wilfully and maliciously trespass upon, walk over, beat down, trample or in any wise injure any grain, grass, vines, vegetables or other growing crop, shall and may, on conviction thereof in action of trespass before any mayor, burgess, alderman, justice of the peace, or in any court of law, have judgment against him, her or them for treble the amount of damage proven to have been done, with costs of suit; one-half the damage or penalty to go to the use of the poor of the district wherein the premises lie, the other half of the damage or penalty to the use of the owner of the premises on which the said trespass shall or may be committed, and in default of payment of the said fine or judgment, with costs of suit, the party convicted may and shall be committed to the jail of the proper county for not less than three nor more than twenty days; said complaint or action to be made in the name of the commonwealth, and the testimony of the owner or occupant of the premises shall be admitted as evidence to prove the trespass.

SECTION 3. That all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 141.

AN ACT

To increase the Revenue of the borough of Columbia, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief burgess and town council of the borough of Columbia, in the county of Lancaster, be and they are hereby empowered to assess upon all real property lying within the limits of said borough, and upon all other property now by law taxable for borough purposes, such amount as may be necessary to meet the expenses of said borough, and pay off existing debts: *Provided,* That the said assessment shall not in any one year exceed the sum of forty cents in each hundred dollars of the valuation for county rates and levies: *And provided further,* That the land which lies within the limits of the said borough and not laid out into town lots, shall be assessed as first rate farm land, and not as town property.

Additional tax
authorized.

SECTION 2. That the whole amount of the excess over and above the present rates of taxes which may hereafter be levied, shall be specially appropriated to pay the debt now existing against the said borough, until the same shall be paid off in full; and that after the said debts shall be so paid in full, that then the assessment shall not in any one year exceed the sum of thirty cents in each hundred dollars as aforesaid; and that all laws or parts of laws heretofore passed, conflicting with the provisions of this act, be and the same are hereby repealed.

How to be approp-
riated.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 142.

AN ACT

To incorporate the Butler House Hotel Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George G. Prosbury, Jr., S. K. Hoxie, Charles Macalester, Caleb Cope, C. Leland, Charles Henry Fisher, R. J. Ross, Joseph R.

Corporators.	Curtis, F. M. Drexel, Samuel Branson, G. M. Lauman, James W. Brown, Pierce Butler, and their associates, and all persons who may now or hereafter may be holders of the stock herein-after mentioned, shall be and they are hereby declared to be
Style.	constituted a body politic or corporate, by the style of the Butler House hotel company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold,
Powers.	receive, enjoy and take, either by absolute conveyance, in fee simple, or upon ground rent, and in case of a conveyance upon ground rent, with power to execute the necessary covenant for the securing the payment thereof, such real estate as may be necessary and proper for the construction of a hotel in the city of Philadelphia, with such supplementary buildings as may be adapted to and form part of the general plan and design thereof, for the accommodation and use of any parties who may be desirous of renting and occupying the same, and the said real estate or any part thereof, when, in the opinion of the said corporation, it may be proper so to do, to sell and convey to any person or persons who may be desirous of purchasing the same: <i>Provided however</i> , That if the said company or their lessees, with their knowledge, shall knowingly permit any intoxication or gambling in their said house, the privileges hereby granted shall cease; and that said company shall not themselves engage in the business of hotel keeping.
Capital stock.	SECTION 2. That the capital stock of said corporation shall not exceed six hundred and fifty thousand dollars, divided into thirteen hundred shares, of five hundred dollars each, and that it shall be held as personal property, and as such be transferred, under such regulations as the corporators shall judge convenient.
Annual meeting.	SECTION 3. That a general meeting of the corporators shall be annually held on the first Monday of January for the election of five managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice thereof being first given in at least three daily newspapers in the city of Philadelphia.
Election of managers.	SECTION 4. That the election of managers shall be by ballot, from among the corporators, and that in the enactment of by-laws for the government of the corporation and its officers, and in the decision of all questions, whether of election of officers or disfranchisement of corporators, either because of their delinquency in paying for the amount of stock by them purchased of the corporation, or for other causes, and on all questions at the meetings of the corporation, the corporators present, either in person or by proxy, shall severally vote once for each share of stock held by them.
Votes.	
Vacancies.	SECTION 5. That the managers shall continue in office until their successors be elected, shall elect a president from among themselves, shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interests of the company, except so far as may be otherwise provided by the corporators; three members shall be a quorum at these meetings.
	SECTION 6. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be

managers of the said corporation, and shall have power and authority as such.

SECTION 7. That if the said corporation shall at any time hereafter misuse or abuse any of the chartered privileges hereby granted, the legislature may at any time resume all and singular the rights, liberties, privileges and franchises hereby granted to the said company. Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 143.

A SUPPLEMENT

To an act to incorporate the borough of Reading, Berks county, into a city, approved March sixteenth, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the qualified voters of the city of Reading, at their annual elections for municipal, ward and district officers, may vote for said officers upon two written or printed tickets or slips of paper, one of which shall be headed "city officers," and contain the names of the candidates for mayor, select and common council, treasurer and auditors for which the voter desires to vote, and the other shall be headed "ward officers," and contain the names of the candidates for aldermen, constables, judges of elections, inspectors, assessor and school directors for whom the voter may desire to vote.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 144.

AN ACT

To widen Palmer street, between Beach street and Delaware avenue, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Palmer street, in the Eighteenth ward of the city of Philadelphia, shall be widened at the south-eastern line of Beach street, in the said city, to the width of fifty feet, and thence extend south-eastwardly regularly narrowing on the south-western side thereof to the south-eastern line of Delaware avenue, in said city, two hundred and forty-six feet four and three quarter inches, to the width of forty feet; the ground above taken having been dedicated by the owners thereof to public use.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 145.

AN ACT

To establish a public ferry on the Susquehanna river, between Safe Harbor, in Lancaster county, and Lockport, in York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Kendig, his heirs and assigns, shall have the right and privilege, at his or their own proper cost and charges, to make good and convenient landings on each side of the Susquehanna river, at or near the mouth of the Conestoga creek, in Lancaster county, and Lockport, at or near the out-let lock in York county, and to use said river between the said landings as a public ferry, and shall receive for conveying each person the sum of twelve and a half cents, and for each hundred pounds of baggage over fifteen pounds the sum of twelve and a half cents: *Provided,* That no private property be occupied without the consent of the owner.

SECTION 2. That no person or persons shall be permitted to keep a public ferry within one mile above or below said ferry: *Restriction.*
Provided however, That no person shall be prevented from crossing the river in any steamboat that may be plying between the mouth of the Conestoga and the Tide-water canal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 146.

A FURTHER SUPPLEMENT

To an act to establish a Seminary by the name of Haverford School Association, approved the fourth day of April, Anno Domini one thousand eight hundred and thirty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporation now known by the name, style and title of Haverford School association be authorized to establish and maintain a college for the education of youth (and other persons) in the various branches of science, literature and the arts; and the board of managers of the said association shall have power to confer such degrees in the arts and sciences upon the students of the college and others, when, by their proficiency in learning they shall be entitled thereto, as are conferred in other colleges or universities in the United States. *College established.*
May confer degrees.

SECTION 2. That the said association may take and hold real and personal estate of the clear annual value of five thousand dollars, in addition to the clear annual value they are now authorized to hold by law. *Annual income.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 147.

A FURTHER SUPPLEMENT

To an act establishing an Academy at Carmichaelstown, in the county of Greene.

Removal of trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a majority of the trustees of Greene academy, present at any annual meeting thereof, are hereby authorized to remove inefficient trustees, supply vacancies, and transact all business relating to the interests of said institution.

May confer degrees.

SECTION 2. That the trustees, in connection with the principal of said institution, shall have the power to confer upon the pupils of the female department, such evidences of attainments in literature, science and art, as is granted in other female colleges, in the form of diplomas and degrees, at the termination of the assigned term of the academic course.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 148.

A N A C T

Authorizing the School Directors of the borough of Titusville, in the county of Crawford, to borrow money, and for other purposes.

May borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Titusville, in the county of Crawford, are hereby authorized to borrow any sum of money not exceeding fifteen hundred dollars, and issue bonds for the same, in sums not less than fifty dollars each, bearing a rate of interest not exceeding six per centum per annum.

May levy tax to pay interest.

SECTION 2. That in order to provide for the interest and gradual liquidation of the said bonds, the said school directors are hereby authorized and empowered, in addition to the tax now authorized by a supplement to the act for the regulation

and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, to levy a tax not exceeding thirteen mills on the dollar on the last adjusted valuation, on real and personal property, for state and county purposes, annually, till the said bonds are fully liquidated and no longer: *Provided, Provide.* That in case the freeholders of the said borough of Titusville, or a majority of them, should signify to the school directors of the said borough, by petition or otherwise, so that the said directors shall be satisfied that it is the desire of the said taxable inhabitants, or a majority of them, that the said bonds shall be liquidated in one, two or three years, and by said petition request the school directors to levy a tax sufficient to liquidate the same, then it shall be lawful for the said school directors to levy a tax sufficient in one, or in one, two and three years, according to the prayer of the petitioners, to liquidate the entire bonds.

SECTION 3. That it shall be the duty of the school directors *Application of money.* of the said borough judiciously to expend the money realized from said bonds in purchasing grounds, building materials and procuring labor upon and building a public school house for the accommodation and use of the common schools of said borough; and it shall not be lawful for the said school directors to authorize or permit the school rooms in said building to be used for any other purposes than those connected with the common schools of the commonwealth.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 149.

AN ACT

Providing for the dissolution of the Humane society of Philadelphia, and the transfer of its funds to the Pennsylvania Hospital.

WHEREAS, It has been represented by the Humane society of Philadelphia, an institution incorporated in one thousand seven hundred and ninety-three, for the purpose of affording relief in cases of drowning, and other sudden casualties, that by the benevolence of individuals and the accumulation of gifts and revenue, they are in possession of a fund which is rarely called on, and which might be much more effectually employed in the *Preamble.*

promotion of the benevolent designs of the donors by a transfer of the same to the Pennsylvania hospital; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Humane society of Philadelphia, be and they are hereby authorized to publish in two daily newspapers of the city of Philadelphia, twice a week for three months, a notice calling on the contributors to the funds of the said society, or their legal representatives, to object by writing, lodged with the secretary of the said society, to the transfer of the said funds to the contributors to the Pennsylvania hospital, if they see fit so to do; and all contributors to the funds of the said Humane society, or their legal representatives, who shall not, within one month after the expiration of the said period of the publication aforesaid, by writing lodged with the secretary of the said society, object to the transfer of said funds to the Pennsylvania hospital, shall be deemed and taken to assent thereto.

SECTION 2. That after the expiration of one month from the period of the publication aforesaid, it shall be lawful for the said managers to transfer, convey and deliver to the contributors to the Pennsylvania hospital all the funds, stocks, money and property of the said Humane society, in case no objection is made thereto as aforesaid by any of the contributors to the said Humane society, or their legal representatives; and in case any such objection is made, then it shall be lawful for the said managers to transfer to the contributors to the Pennsylvania hospital the said funds, stock, money and property, save and except only such part thereof as may have been contributed by the persons so objecting, or by those whose legal representatives they are; such funds, stock, money and property so transferred to be held, and the income thereof applied by the contributors to the Pennsylvania hospital, for and upon the objects described in the charter of said Humane society, to wit: To the free relief of such persons apparently dead from drowning, and other casualties as may come under the notice of the contributors of the Pennsylvania hospital, and for such other purposes as the said corporation may think necessary to promote the benevolent designs of the said Humane society, as fully as the latter could or should do the same if continued in existence.

SECTION 3. That upon a full transfer and conveyance being made to, and duly acknowledged by, the contributors to the Pennsylvania hospital, the said Humane society of Philadelphia shall become dissolved, and all its corporate powers cease and determine.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 150.

A SUPPLEMENT

To an act to incorporate the Somerset and Johnstown Plank Road Company, et cetera, approved the twenty-fourth day of March, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of the Somerset and Johnstown plank road, be and the same is hereby extended for the period of three years, from the twenty-fourth day of March next. Extension of time

SECTION 2. That in the event of any vacancy or vacancies occurring in the board of managers of said Somerset and Johnstown plank road company, by death, resignation, or otherwise, the remaining members of said board of managers shall have power to fill such vacancy or vacancies until the next annual election of said company. Vacancies

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 151.

AN ACT

Relative to Subscriptions of Stock in Railroad Companies in Allegheny and Washington counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the trial of any action that may be hereafter brought on subscriptions heretofore made for stock in railroad companies whose road is located wholly or partly in Allegheny and Washington counties, the plaintiff shall not be non-suited or affected in any respect by reason of any informality or error in the said subscription, or the name of the company in which such stock was subscribed, if there be sufficient evidence to satisfy the court and jury what company was intended; or for defects in the advertising for the organization of the company or for calling in the stock, if the

LAWS OF PENNSYLVANIA,

court be satisfied reasonable notice was given of the same; and for the non-payment of the first instalment on any stock, by the said stock subscribed for in good faith may be recovered, although the first payment was not made at the time required by law, or other irregularities in its organization; and the charter of such companies shall be valid, good and effectual, to all intents and purposes, notwithstanding said irregularities.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 152.

AN ACT

To incorporate the Buffalo and Bradford Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That
 Commissioners. Daniel Kingsbury, Sabinus Walker, Sylvanus Holmes, Samuel Conklin, Samuel L. Casey, Abram K. Johnson, Elihu J. Baldwin, and Watson A. Fox, or any two of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and
 Style title of "The Buffalo and Bradford railroad company," with all the powers, and subject to all the provisions and restrictions
 Subject to. prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, at one hundred dollars each:
 Capital Provided, That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete said road, and to carry out the true intent and meaning of this act.

SECTION 3. That said company shall have the privilege and
 Route and privileges. right to build or construct a railroad, from the state line, in the valley of the Tunungwant, in the county of M'Kean, up said valley; by such route or routes as to the president and directors shall seem best, to the coal mines in the township of Lafayette, in said county of M'Kean, with the privilege of constructing such lateral roads, not exceeding ten miles in length respectively, or branches in the counties of M'Kean, Elk and Clearfield, as they may deem useful for the transportation of the productions of said counties, and to intersect with the Sunbury and

Erie, and the Allegheny Valley railroads, in said counties; said road to be commenced within two, and completed within ten years.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 153.

AN ACT

To provide for the Management of the Estate of Daniel Ebert, of the county of York.

WHEREAS, Daniel Ebert, a citizen and resident of the borough of York, in the county of York, in this commonwealth, left his place of residence on the fourth day of April, Anno Domini one thousand eight hundred and fifty-five, to go to the city of Baltimore, and while in that city left the inn at which he had taken lodgings and has not since been heard of, nor has the most diligent inquiry succeeded in ascertaining his fate or discovering whether he be living or dead: Preamble.

And whereas, The said Daniel Ebert was possessed of some personal property, and seized of valuable real estate, part of which had been by him leased to a tenant for years:

And whereas, The said Daniel Ebert was also indebted in a large amount by mortgage for trust funds and by other evidences of indebtedness:

And whereas, There is no one legally authorized to take charge of the estate of the said Daniel Ebert, to provide for the payment of his debts, or to rent, sell or otherwise dispose of his property, and there is no power vested in the courts of this commonwealth to provide for the proper management of the said estate; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Hantz, of the borough of York, in the county of York, and state of Pennsylvania, be and he is hereby appointed trustee of the estate of the said Daniel Ebert, and as such trustee is hereby authorized and empowered to sell so much of the personal and real estate of said Daniel Ebert, in such manner and in such parcels and divisions as shall be most advantageous and produce the highest prices, as may be necessary to pay the debts of the said Daniel Ebert: *Provided,* That the farm of said Daniel Ebert, in the township of West Manchester, shall be Trustee appointed.
His powers.

reserved until the last, and shall not be sold, unless the debts cannot otherwise be paid; and also to lease such parts of the real estate as shall remain, and give such notice to any present tenant of such real estate to surrender possession thereof as is now by law required, which notice shall be as effectual, to all intents and purposes, as though the same were given by the said Daniel Ebert; and also, out of the funds received by him, the said Jacob Hantz to pay the debts of the said Daniel Ebert, and generally to have such charge, control and power of disposing of the estate of the said Daniel Ebert, as shall be necessary to accomplish the above recited objects, and preserve said estate most effectually and beneficially for the use of the wife and children of the said Daniel Ebert.

Deeds by trustee. SECTION 2. That all deeds and conveyances of real estate and sales of personal property made, executed and delivered by the said trustee, shall transfer the whole title thereto to the purchaser, discharged of dower or any other lien or incumbrance whatever.

Trustee to give bond. SECTION 3. That before entering upon the discharge of the trust created by this act, the said Jacob Hantz shall give bond, with security to be approved by the court of common pleas of York county, in the sum of eight thousand dollars, and shall, at the end of one year after such bond shall have been approved, file an account of his proceedings in said court, which shall be open to examination and exception, and shall be confirmed by said court, according to the rules thereof in the cases of accounts by assignees, under deeds of voluntary assignment for the benefit of creditors, and shall also thereafter file such further accounts in said court, as said court shall, after petition by any person interested in the estate of said Daniel Ebert, require; and said trustee shall be compensated for his services according to the rules established by law for making compensation to other trustees in this commonwealth.

And file accounts SECTION 4. That after the debts of the said Daniel Ebert shall have been paid, so much of the clear yearly revenue or income of his remaining estate as shall be necessary for her comfortable support, shall be annually paid to the wife of the said Daniel Ebert, and she shall also be entitled to retain three hundred dollars worth of personal property, if so much there be, and if not, the remainder of the three hundred dollars shall be paid to her out of any other funds which shall come into the hands of the trustee, either as surplus proceeds of sales of real estate, or from the income of unsold property, which shall be appraised for, and left with her, as is provided in the case of the widow or children of a decedent, by the fifth section of the act of April fourteenth, one thousand eight hundred and fifty-one, entitled "An Act relating to the commencement of actions," et cetera.

Allowance to Mrs. Ebert. SECTION 5. That the trust hereby created shall continue until the return to his usual place of abode of the said Daniel Ebert, or until the presumption that he is dead shall have been raised by the lapse of seven years since he was last heard from, or until proof of his death shall have been duly made; that on the happening of either such event, the said trustee shall file a final account in the court aforesaid; and should the said Daniel Ebert return, as aforesaid, shall pay over to him the remainder of funds in his hands, and the said Daniel Ebert shall thenceforth be fully repossessed of all his remaining estate; but

Continuance of trust.

should said presumption be raised, or proof of death be established as aforesaid, then the said trustee shall pay over the remainder of funds in his hands, to such person or persons as shall then take out letters of administration on the estate of the said Daniel Ebert, according to the laws of this commonwealth; and the real estate remaining unconverted, if any, shall descend as in cases of intestacy.

SECTION 6. That the court of common pleas of the county of York shall have power to appoint a new trustee under this act, ^{Appointment of trustee.} whenever a vacancy shall arise by death, resignation, discharge or any other cause or event; and the said court shall have all the jurisdiction over the removal and appointment of trustees under this act, as the courts of common pleas in this commonwealth possess in the cases of other trustees.

SECTION 7. That in every case of an execution which may have been, or may hereafter be issued against the said Daniel Ebert, the court of common pleas of York county shall stay all proceedings thereon, until the trustee appointed by this act shall have sold the property of said Daniel Ebert, as has been hereinbefore provided; and said trustee shall report all sales made by him of such real estate, to said court, when it shall be next in session after such sales shall have been made, and no such sales shall be valid and effectual, until they shall have been confirmed by said court; and the wife, or any of the children or creditors of said Daniel Ebert, shall have a right to object to the confirmation of such sales, as in the cases of sales made by executors or administrators under the direction of the orphans' court. ^{Executions to be stayed.}

SECTION 8. That the said trustee shall invest and re-invest ^{Investments by trustee.} from time to time all moneys coming to, or remaining in his hands, arising from the sales of property of said Daniel Ebert, or from the rents or other income of his estate after the debts shall have been paid, and the other provisions of the preceding sections of this act shall have been complied with, in real estate securities, or the public debt of the United States, or of this commonwealth.

SECTION 9. That said trustee shall also have power to apply ^{Repairs by trustee.} such parts or portions of the rents or income of said Daniel Ebert's real estate as may be necessary for the purpose, after his debts shall have been paid as aforesaid, to the making of such repairs in the buildings, fences and enclosures of the remaining real estate, as may be necessary to render it profitable, and to preserve such buildings, fences and enclosures from dilapidation and decay.

SECTION 10. That the said trustee shall have power, if it be deemed by him to be most beneficial to the parties in interest, ^{Trustee may mortgage realty.} to mortgage any part of the real estate of said Daniel Ebert, in order to raise money for the payment of his debts, and that upon the approval of the said mortgage by the court of common pleas of York county it shall have the same effect as if executed by the said Daniel Ebert.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

Approved—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 154.

A SUPPLEMENT

To the act incorporating the borough of Bloomfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all elections for municipal officers of the borough of Bloomfield, Perry county, shall be opened between the hours of eight and ten o'clock in the forenoon, and shall continue without interruption or adjournment until seven o'clock in the evening of the day appointed for holding said elections, when the polls shall be closed; anything in the act of incorporation of said borough to the contrary notwithstanding.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 155.

AN ACT

Authorizing the Washington and Pittsburg Turnpike Road Company, by its sequestrator, to transfer certain portions of said road.

WHEREAS, The Washington and Pittsburg turnpike road company has for some years past abandoned their road, and having no board of directors, none having been elected for a long time the corporation owes a debt of thirty thousand dollars, and the road is in bad order and greatly dilapidated, and now is in the hands of a sequestrator, it is desirable to place some portion of said road under authority likely to keep it in good order therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Washington and Pittsburg turnpike road company, by its sequestrator, Thomas Blackmore, Esq., is hereby authorized and empowered to transfer so much of said road belonging to said company as lies within the boroughs of South Pittsburg and West Pittsburg, between the Monongahela bridge and Jones

lower ferry, to the above named boroughs, on condition that the said boroughs keep and maintain the same in good order and condition as a public highway forever: *Provided*, That after such transfer no toll shall be charged on the parts of said road so transferred.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 156.

A SUPPLEMENT

To an act to authorize the Commissioners of Chester county to borrow money, approved the fifth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the commissioners of Chester county be and they are hereby empowered to borrow, upon the credit of said county, for the purpose of paying for the erection of a new house of employment and relief for the poor, any sum of money not exceeding fifteen thousand dollars, in addition to the amount authorized to be borrowed by the act to which this is a supplement, payable within ten years: *Provided*, That no bond or other obligation shall be issued by the said commissioners for the payment of the same of a less denomination than one hundred dollars.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 157.

A SUPPLEMENT

To an act authorizing the Board of School Directors of the borough of Washington to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the powers conferred on the board of school directors of the borough of Washington, by the act passed the twenty-fifth of January, one thousand eight hundred and fifty-four, to borrow money for the purpose of paying for the erection of the new school building erected by said board of school directors, be enlarged so as to enable them borrow a sum sufficient to pay for the grounds purchased and the school edifice and janitor's house thereon erected: *Provided*, That the amount borrowed shall not exceed the sum of twenty thousand dollars; said loan to be secured as provided in said act, and subject to the same provisions as is therein contained, and that any loan made in pursuance of the provisions of this act shall be exempt from taxation.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 158.

AN ACT

Authorizing the settlement by township auditors of the account of John M. M'Candless, late superintendent of the Butler and Mercer turnpike road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township auditors of the several townships of Butler county, through which the Butler and Mercer turnpike road passes, are hereby authorized and required, at their next regular meeting, to examine, audit and adjust the accounts of John M. M'Candless, late superintendent of said road, and ascertain the amount, if any, due to him for work upon said road and bridges. And should any amount be so found due to him, the same shall be apportioned to the respective townships according to the work therein done, and shall be collected and paid in the usual man-

ner as debts against townships to supervisors of roads are paid; the said John M. M'Candless having the right of appeal from the settlement by the auditors, in the same manner as supervisors of townships have the right of appeal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 159.

A FURTHER SUPPLEMENT

To the act incorporating the Western Pennsylvania Hospital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the further sum of twenty thousand dollars, payable in three equal annual instalments from and after the passage of this act, be and the same is hereby appropriated to aid in extending and perfecting the accommodations for the insane in the Western Pennsylvania Hospital, located at Pittsburg, to be drawn and expended on warrants of the governor, agreeably to the provisions of a supplement to the said act, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-five: *Provided,* That no money shall be paid in pursuance of this act, unless the plan of the proposed building for the further accommodation of the insane of the said Western Pennsylvania Hospital, and the contract for its erection and completion, shall have been previously submitted to the governor of this commonwealth, and approved by him.

Appropriation.

Provide.

Plan and contract to be approved.

SECTION 2. That the governor of this commonwealth shall have power to appoint, annually, three persons, citizens of Pennsylvania, to serve as managers, for one year, of the said Western Pennsylvania Hospital: And further, that the said board of managers shall make and return annually, in the month of January, to the legislature of the state, a full and complete statement, certified by their president and treasurer, of the affairs and condition of the said hospital.

Governor to appoint managers.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 160.

AN ACT

Regulating the manner of Voting at the General Elections, and the time of closing the several elections in the county of Montgomery.

Manner of voting. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the qualified electors of Montgomery county to vote at their general elections for governor, canal commissioner, surveyor general, auditor general, member or members of congress, senators and members of the general assembly upon one slip or ticket; and all county officers, including the judges of the court of common pleas, also upon one separate slip or ticket: *Provided*, That the office for which every candidate is voted for shall be designated as required by the existing laws of this commonwealth: *And provided further*, That the state and county tickets shall each be so folded as to conceal the names of the persons voted for, and on the outside of the state ticket shall be written or printed the words, "State officers," and on the outside fold of the county ticket shall also be written or printed the words, "County officers."

Frauds. SECTION 2. That any fraud committed by any person voting in the manner aforesaid, shall be punished as similar frauds are punished by the existing laws of this commonwealth.

Time of closing. SECTION 3. That the time for closing the several elections in the several wards, boroughs and townships in the county of Montgomery shall be eight o'clock in the evening, and all laws or parts of laws inconsistent with the provisions of this act be and the same are hereby repealed, so far as relates to the said county of Montgomery.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 161.

AN ACT

For the more effectual preservation of life and property from damages by the explosion of gunpowder and gun cotton, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person or persons to have or keep any quantity of gunpowder or gun cotton in any house, store, shop, building, cellar, or other place within the city of Philadelphia, (except in the public magazines, or in a quantity not exceeding two pounds for private use) unless in the manner hereinafter provided. Keeping of powder regulated.

SECTION 2. That it shall be lawful for the mayor of the city of Philadelphia to grant licenses under the official seal of said city, to any person or persons desirous to sell gunpowder or gun cotton therein. The person or persons so licensed may have on their premises a quantity of gunpowder or gun cotton, not exceeding in all twenty-five pounds at any one time. The person or persons so licensed shall not be protected against any of the penalties or consequences hereinafter provided for violations of this act, except while they have, on some conspicuous part of the front of each of the houses or buildings in which they may be licensed to sell gunpowder or gun cotton under this act, a sign on which shall be distinctly painted in letters legible to persons passing such houses or buildings, the words, "licensed to sell gunpowder," or "licensed to sell gun cotton," and shall pay into the city treasury the sum of five dollars for said license. Licenses to sell powder.
Amount to be kept.
Sign to be put up

SECTION 3. That every carriage used for conveying gunpowder or gun cotton within the city of Philadelphia, in accordance with the provisions of the acts now in force relative thereto, shall in addition to the requirements therein contained, have painted on each side thereof, in letters distinctly legible to all passers by, the word "gunpowder," and any failure so to do, shall subject the offender or offenders to the penalties herein contained for violations of this act. Conveyance of powder regulated

SECTION 4. That in every case of a violation of any provision of this act, relative to the keeping of gunpowder or gun cotton, or in every case of the violation of any of the provisions of the acts now in force relative to the introduction, into the city of Philadelphia, of gunpowder or gun cotton, it shall be lawful for any of the trustees of the Philadelphia association for the relief of disabled firemen, to seize such gunpowder or gun cotton in the day time, and to convey, or cause the same to be conveyed, to any magazine used for the storing of gunpowder. Powder may be seized.

SECTION 5. That whenever any inhabitant of the said city shall make oath or affirmation, particularly describing as nearly as may be the place to be searched, and the things to be seized, before the mayor, or any alderman, of any fact or circumstance, which, in the opinion of the said mayor or alderman, shall Searches authorized.

afford a probable cause of belief that any gunpowder or gun cotton has been brought into, or is kept within the said city, or in the harbor thereof, contrary to the provisions of this act, or any of the provisions of the acts now in force relative to the introduction of gunpowder or gun cotton into the city of Philadelphia, it shall be lawful for the said mayor or alderman to issue his warrant or warrants, under his hand and seal, to any sheriff, marshal, constable, or other fit person, commanding him or them to search for such gunpowder or gun cotton, in the day time, wheresoever the same may be in violation of said acts, and to seize and take possession of the same, if found, and to convey, or cause the same to be conveyed forthwith to any magazine used for storing gunpowder.

Fines for powder seized.

SECTION 6. That all actions or suits for the recovery of any gunpowder or gun cotton, which may have been seized and stored in any magazine by virtue of the provisions of this act, or for the value thereof, or for damages sustained by the seizure or detention thereof, shall be brought against the Philadelphia association for the relief of disabled firemen, and shall be commenced within three calendar months next after such seizure shall have been actually made, and in case no such action or suit shall have been commenced within such period, such gunpowder or gun cotton shall be deemed absolutely forfeited to the said Philadelphia association for the relief of disabled firemen, and may be immediately delivered to the proper officers thereof for its use. No penal damages shall be recovered in any such action or suit; and such gunpowder or gun cotton may at any time during the pendency of any such action or suit, by consent of the parties thereto, be sold, and the money arising from such sale be paid into the court where such suit or action may be pending, to abide the event thereof.

Seizures during fire.

SECTION 7. That if any gunpowder or gun cotton, exceeding the quantity mentioned in this act, shall be found in the possession or custody of any person or persons, in violation of the provisions herein contained, by any fireman of any company belonging to the fire department of the said city during any fire therein, it shall be lawful for such fireman to seize the same without any warrant, and to immediately convey the same, and report such seizure to the chief engineer of the fire department, or in his absence the acting assistant engineer; and the said chief engineer or assistant shall convey, or cause it to be conveyed to any magazine for the storing of gunpowder, there to be detained until it be decided by due course of law, in accordance with the provisions of this act, whether such gunpowder or gun cotton be forfeited.

Fines and penalties for illegally keeping.

SECTION 8. That any violation of the provisions of this act relative to the keeping of gunpowder or gun cotton, or of any of the provisions of the acts now in force relative to the introduction of gunpowder or gun cotton into the city of Philadelphia shall, in addition to the forfeiture of the gunpowder or gun cotton as hereinbefore provided, also subject the offender or offenders to a fine of five hundred dollars for each offence, to be recovered, with costs of suit, in an action of debt in any court having cognizance thereof, by, to and for the use of the Philadelphia association for the relief of disabled firemen. And all gunpowder or gun cotton found within the city of Philadelphia, in violation of the provisions in this act contained, shall be for-

feited to the use of the aforesaid Philadelphia association for the relief of disabled firemen.

SECTION 9. That all and singular the provisions of this act relative to the recovery of any penalty, and the seizure and forfeiture of gunpowder or gun cotton, be and they are hereby extended to the recovery of any penalty, and the seizure and forfeiture of all saltpetre introduced, stored, deposited or kept in said city, in violation of the acts relative thereto now in force in said city; and the said penalty and forfeiture shall be to and for the use of the aforesaid Philadelphia association for the relief of disabled firemen, against whom all suits or actions for its recovery shall be brought, in accordance with the provisions of this act. Seizure of saltpetre, &c

SECTION 10. That all actions for any penalty incurred for violation of any of the provisions of this act, or of any of the acts now in force relative to the introducing, keeping, storing or depositing of gunpowder, gun cotton or saltpetre within the city of Philadelphia, shall be commenced within one year next after incurring such penalty. Limitation of actions for penalties

SECTION 11. That all laws or parts of laws heretofore passed inconsistent with the provisions of this act, be and they are hereby repealed. Repeal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 162.

A SUPPLEMENT

To an act to incorporate the Conestoga and Beaver Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the said company, by their properly constituted directors, in the location of the road, to vary the route thereof designated in the act to which this is a supplement, between the contemplated crossings of Conestoga and Mill creeks, so as to intersect the public road from the Strasburg road to the Buck tavern, southward of the junction of the road via Stoner's saw mill on Mill creek, but northward of the dwelling house of John Eshleman, in West Lampeter township; and from Mill creek to follow the most eligible course, with respect to grade and direction, to reach the valley of Big Spring run May vary route.

at any point above its confluence, and carry the line on either side of the stream towards its source, on the parallel public road or otherwise, to the intersection of the road from Strasburg to Blue Rock, eastward of the dwelling house of Christian Rohrer, near Big Spring; thence to pursue the public road to the Green Tree tavern, by the way of the residence of Jacob Herr, to the intersection of the original route at Pequa creek, described in the act to which this is a supplement, with full and absolute power to vary from such road wholly or in part, at any point, if deemed expedient.

Privileges con-
tinued.

SECTION 2. That the privileges and restrictions referred to in the third and fourth sections of the act to which this is a supplement, shall apply to the change of route authorized by the first section of this act, and so much of the act to which this is a supplement as is hereby altered or supplied, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 163.

AN ACT

Relative to a further supplement to an act to incorporate the Kensington Gas Company of the county of Philadelphia, passed April twenty-first, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act passed April twenty-first, one thousand eight hundred and fifty-five, as provides that no new works or pipes be erected or laid, without the approval of the gas committee of the councils of the city of Philadelphia, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 164.

A SUPPLEMENT

To an act incorporating the Cedar Hill Cemetery Company of the city of Philadelphia, (late county,) approved March twenty-fifth, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Cedar Hill cemetery company are hereby authorized to increase their capital stock to an additional amount not exceeding ten thousand dollars, and to issue therefor certificates of stock of fifty dollars each; the said increase to be appropriated to the improvement of the grounds, and otherwise to promote the interest of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 165.

A N A C T

To lay out a State Road from Robert Burgoon's, in Cambria county, to Bobbs Creek Inn, in Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. Thomas W. Connell, Esquire, Joseph Burgoon, of Cambria county, and Alexander M'Intosh, of Blair county, be and are hereby appointed commissioners to lay out a state road, commencing at or near the house of Robert Burgoon, in Washington township, Cambria county, thence by way of White's steam saw mill to the old Frankstown road, at or near the Bobbs Creek inn, in Blair county, who after being duly sworn or affirmed to perform the duties hereby enjoined, shall view, lay out and locate a road between the said points, and having due regard to

directness and facility of traveling, they shall clearly and distinctly mark the said road, and having viewed and located the same, the said viewers shall make out two correct drafts or plots of the same, and shall file one in the court of quarter sessions of Cambria county, and the other in the court of quarter sessions of Blair county, and from thence the same shall become a public highway; and it shall be the duty of the respective supervisors to open the same, with all convenient speed, to the width of thirty feet, to be kept in repair as other highways in the said counties; and the said commissioners shall meet on or before the first day of June next, to discharge the duties imposed on them by this act.

Pay

SECTION 2. That the said commissioners shall receive the sum of one dollar and fifty cents per day for every day they shall be engaged in performing the duties imposed on them by this act, and two chain bearers and one axeman the sum of one dollar per day each, while so engaged, to be paid out of the county treasuries of Cambria and Blair counties, in proportion to the length of said road in each county; and the commissioners of said counties are hereby authorized to settle and adjust the accounts of the said commissioners, and their assistants, and draw orders for the payment of the same.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 166.

A SUPPLEMENT

To the charter of the Allentown Iron Company.

Capital Increased

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the stockholders of the Allentown Iron company, at a meeting to be called in the usual manner under their charter, to authorize their president and directors to increase the capital stock of the said company two hundred thousand dollars, with the right to extend the said increase to the sum of three hundred thousand dollars, under all the regulations of the original act of incorporation.

SECTION 2. That the said company shall be required to pay Tax. to the state treasurer, for the use of the commonwealth, within one year after the passage of this act, a tax of one half per centum on the amount of capital hereby authorized to be increased.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 167.

AN ACT

To authorize the Court of Common Pleas of Crawford county to summon a Jury from an adjoining county or counties to try the case of the Directors of the Poor, and of the House of Employment, *versus* James A. M'Fadden and Joseph Balliet.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of the county of Crawford may award a *venire facias* to an adjoining county or counties for a jury, to try the case of the Directors of the Poor and House of Employment of the county of Crawford *versus* James A. M'Fadden and Joseph Balliet; and the sheriff and commissioners to whom any such writ shall be directed, shall thereupon select so many sober, intelligent and judicious persons as the court shall direct in the *venire*, to be returned as jurors for the trial of said action; but before proceeding to make such selection, the said sheriff and commissioners shall be sworn or affirmed to make an impartial selection of persons without favor, affection, malice or ill-will; and the sheriff to whom any such writ of *venire* may be directed, shall summon the persons so selected in pursuance of said writ, at least ten days before the return day thereof, to be and appear before the said court at Meadville, in the county of Crawford, on the day of the return thereof; and the said sheriff shall make return of such writ, with a panel annexed, as required by law in other cases; and the jurors for the trial of said action shall be selected and drawn from the persons so returned, as other juries are drawn, subject to challenge as in other cases; and if by reason of challenges or other cause, there shall not be a sufficient number of persons so summoned and returned to make up the jury, the deficiency

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may be supplied from bystanders, or the county at large as in other cases.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 168.

A SUPPLEMENT

To an act to incorporate Curwensville, in Pike township, Clearfield county, into a borough, approved the third day of February, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That instead of the limits prescribed by the act to which this is a supplement, the limits and boundaries of the borough of Curwensville shall be as follows: Beginning at a hemlock corner, on Anderson's creek, thence extending north ten and a half degrees east one hundred and fifty-nine perches to a white oak corner of Benjamin Bloom's and William M'Naul's land; thence along William N'Naul's land south sixty-nine degrees east two hundred and sixty perches, to a white oak sapling, known as corner of Job England's farm; thence south five and a half degrees west sixty perches to a stone pile; thence south seventy-one and a half degrees east to a spring run, known as Garrison's run; thence down the same following its several courses and distances to the West Branch of the Susquehanna river; thence up the West Branch of the Susquehanna river, following its several courses and distances to a maple near the mouth of Anderson's creek; thence west twenty-six perches to Anderson's creek, near the old grave yard, and thence up the Anderson's creek, following its several courses and distances, to the hemlock and place of beginning.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 169.

AN ACT

Authorizing the Canal Commissioners to examine the claim of George Myers for damages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners are hereby authorized to examine the claim of George Myers, of Indiana county, in relation to damages by the falling of a bridge over a creek on the slack-water of the Western division of the Pennsylvania canal, and make report thereon.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 170.

A SUPPLEMENT

To the act incorporating the Hollidaysburg and Bedford Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Hollidaysburg and Bedford plank road company having completed a part of said road, according to its charter, the said company are hereby released and exonerated from completing the residue of said road, if they shall deem it advisable not to complete the same. And the said company are hereby authorized and empowered, on any part of said road now completed becoming worn out or decayed, to repair the same from time to time, as occasion may require, with stones, cinder, or other suitable material, wherever the managers thereof deem it advisable.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 171.

AN ACT

To authorize the Canal Commissioners to examine the claim of George Losh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and they are hereby authorized to examine the claim of George Losh, of Perry county, for damages to his property, alleged to have been sustained by him by reason of the falling in of an aqueduct on the Juniata division of the Pennsylvania canal, and report the amount, if any, to the legislature.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 172.

AN ACT

To incorporate the Nittany Mountain Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That James Irvin, John Neff, George W. Bole, Philip Meyers, Robert S. Watson, Edward C. Humes, James Burnside, John J. Gregg, James A. Linn, James T. Hale and Jacob V. Thomas, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Nittany Mountain turnpike road company, with power to construct a turnpike road from a point on the Brush Valley road in Potter township, Centre county, near the Watson ore bank, to the Centre and Kishacoquillas turnpike road on top of Nittany mountain, near the line between Potter and Spring townships, partly clay and partly stone, or either; subject to the provisions and restrictions of an act relating to turnpike and plank road companies, approved the*

Commissioners.

Style.

Route.

Subject to

twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, That when the company shall have completed two miles of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of twenty-sixth day of January, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of two hundred shares of twenty dollars each: *Capital stock. Provided*, That the said company may, from time to time, by a vote of its stockholders at a meeting called for that purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true meaning and intent of this act.

SECTION 3. That if the said company shall not commence the construction of their road within two years, and complete it within three years, this act shall be null and void, except so much thereof as shall be necessary to wind up the affairs and pay the debts of the company. *Limitation.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 173.

AN ACT

Relating to the Catasaugua and Foglesville Railroad Company.

WHEREAS, The Catasaugua and Foglesville railroad company neglected to hold an election for officers on the first Monday of November, one thousand eight hundred and fifty-five, and the officers previously elected have continued to act as said officers; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all the acts of said officers since that date, and up to the time when others shall be elected, shall be considered as firm and effectual, for all purposes, as if they had been duly elected on said first Monday of November last.

SECTION 2. That in case of a failure to elect officers at an annual election, the officers elected at the previous election, shall hold their offices until others may be elected agreeably to the

LAWS OF PENNSYLVANIA,

by laws: *Provided*, That such election shall take place within six months.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 174.

AN ACT

Relating to the Estates of Decedents and Minors in the county of Lawrence.

Certain proceedings to be certified to Lawrence co.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all cases where letters testamentary, or of administration, have been issued in the counties of Beaver or Mercer, upon the estates of decedents, resident at the time of decease in what is now Lawrence county, and upon which estates the final account of such executors or administrators has not been settled in said counties, the register of wills of said counties shall, upon application of any person interested, certify, under the seal of his office to the register of wills of the county of Lawrence, a copy of the docket entry of all proceedings of whatever character, including proceedings in relation to collateral inheritance tax, which have been had, pertaining to said estates in their said offices; and including also copies of wills, and all proceedings had thereupon before the registers of wills of the said counties of Beaver or Mercer, or in the register's courts of the said counties of Beaver or Mercer, and shall attach to said certificate all the original papers in their said offices pertaining to said estates, (original wills excepted,) certifying them in the certificate aforesaid to be such originals; and the register of wills of the county of Lawrence, upon receipt of the same, shall enter said proceedings and certificate at length upon his proper docket, and file said papers of record in his said office; and thereupon the said register of wills of the county of Lawrence, and the orphans' court of the county of Lawrence, shall have jurisdiction, and proceed as fully and effectually in all matters thereto pertaining, as if the said letters had been originally issued in the said county of Lawrence.

And entered there

Other proceedings to be certified.

SECTION 2. That the clerks of the orphans' courts, and the registers of wills of the counties of Beaver and Mercer respectively, shall, upon the application in writing of any person interested, in like manner certify under the seal of the proper office, and transmit to the clerk of the orphans' court, or the

register of wills, as the case may require, of Lawrence county, a copy of the docket entry of all proceedings in said orphans' courts of Beaver or Mercer counties, or in the office of the register of wills of said counties, in relation to minors on their estates, in all cases where such minor or minors and the guardian shall, at the time of making such application, reside in the county of Lawrence, and attach to such certificate all original papers thereto pertaining on file in the said offices, certifying them in the certificate aforesaid to be such originals; and the clerk of the orphans' court, or the register of wills of said county of Lawrence, shall, on receipt of the same, enter said proceedings and certificate at length upon his proper docket, and file the said papers of record in his said office; and thereupon the orphans' court, and the register of wills of the said county of Lawrence, shall respectively have jurisdiction, and proceed as fully and effectually in all matters pertaining thereto, as if the said proceedings had originally been commenced in said county of Lawrence.

SECTION 3. That in all cases where the certificates and papers ^{Costs.} required by the first and second sections of this act have not been procured and filed, the same shall, be procured and filed according to the provisions of said first and second sections, before any other proceedings shall be had therein; and the costs of all such transfers shall be paid out of the estate or estates on which the proceedings have been had.

SECTION 4. That the clerks of the orphans' courts, and the registers of wills aforesaid, shall be entitled to receive for their ^{Fees.} services under this act, the same fees as for similar services in other cases.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 175.

A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near Sharpsburg, Allegheny county, approved the thirteenth day of March, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time allowed by law to the company to erect a bridge over*

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the Allegheny river, at or near Sharpsburg, in Allegheny county, for the completion of said bridge, be and hereby is extended for the further term of three years.

SECTION 2. That any omission by the commissioners to receive subscriptions to the capital stock of said company, to exact the payment of five dollars upon each share of stock, at the time of subscription thereof, shall not affect or impair the right of said corporation to receive the amount of such subscriptions.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 176.

A FURTHER SUPPLEMENT

To an act to provide for the erection of a house for the employment and Support of the Poor for the county of Carbon, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in addition to the compensation mentioned in the twelfth section of the act to which this is a supplement, to be allowed to the directors of the said house of employment, the commissioners of the county of Carbon shall pay the said directors a reasonable compensation for their traveling expenses, while engaged in the performance of the duties of their office.

SECTION 2. That if the commissioners of the county of Carbon shall find it necessary to negotiate the loan mentioned in the fourth section of said act, the said commissioners may stipulate with the loaners for the payment of all taxes which may from time to time be assessed on said loan, as money at interest.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 177.

AN ACT

Appointing commissioners to lay out and open a State Road in the counties of M'Kean and Elk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners.
A. T. Aldrick, Willis Barrett, Alonzo I. Wilcox, are hereby appointed commissioners, for the purpose of laying out, opening, and making a state road, commencing in Hamlin township, M'Kean county, to a point which said commissioners may settle, Duties.
intersecting the road leading from Alonzo I. Wilcox's to Ridgeway, in Elk county: *Provided, That the powers and authority hereby given to said commissioners, shall continue for five years, and no longer.*

SECTION 2. That when said road shall have been surveyed Draft.
and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of the counties of M'Kean and Elk, and when so filed, said draft, and the record thereof, shall be legal evidence in all things relating to the same; and said road, from thence, is hereby declared to be a public road, in the same manner as other roads laid out and opened by the proper township officers.

SECTION 3. That five mills on the dollar of the road tax, levied Tax to be levied.
on unseated lands in the townships through which said road shall pass, shall be paid to said commissioners, for the purpose aforesaid, during the year one thousand eight hundred and fifty-six, and yearly thereafter for the term of five years; and in case the taxes aforesaid shall be deemed insufficient to lay out, open and make said road, said commissioners may levy and assess a tax on the unseated assessed property, in said townships, for the year one thousand eight hundred and fifty-six, and yearly thereafter, for the term of five years, not exceeding five mills on the dollar, in any one year, according to the valuation for county rates and levies, which tax shall be assessed and collected in the same manner as the supervisors in said counties are authorized to do by law.

SECTION 4. That any two of the said commissioners shall be Quorum.
deemed a quorum, and sufficient to do anything authorized to be done by this act, and in case of the death, resignation, or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of M'Kean county shall appoint a person or persons to supply the vacancy, who Vacancies.
shall give a bond as required in the seventh section of this act.

SECTION 5. That said commissioners shall annually settle Pay of commis-
their accounts with the auditors of the county of M'Kean, and shall be allowed a reasonable compensation, not to exceed one dollar and fifty cents each, per day, for the time they shall be engaged in laying out, opening and making said road. sioners.

SECTION 6. That the commissioners of the county of M'Kean Expenses of locat-
are hereby authorized and required to pay to said commissioners, ing road.
one-half the sum necessary to defray the expenses of locating

said road, out of the county funds, by orders drawn on the county treasurer, and that the commissioners of Elk county are hereby authorized and required to pay to the aforesaid commissioners, one-half the sum necessary to defray the expenses of locating said road, out of the county funds, by orders drawn on the county treasurer.

Bonds.

SECTION 7. That the said commissioners, before entering upon the duties of their office, shall give a bond, with at least one surety, conditioned for the faithful application of all moneys received by them, and for the faithful discharge of the duties of their office; which bond shall be approved by the court of quarter sessions of the county of M'Kean, or by one of the judges of said county, and be noted upon the docket, and filed among the records of said court.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 178.

AN ACT

Limiting the income of certain Charitable Institutions.

Westtown board-
ing school.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the income of the fund contributed by members of the religious society of Friends, and separately held in trust for the gratuitous education and boarding at the Westtown boarding school, in Chester county, of children of parents who are unable to maintain them there, shall not be estimated with the income of the property and funds held for the support of said school, and the payment of the salaries of the teachers thereof under the eighth section of the act to which this is a supplement: *Provided,* That the two funds, separately taken, shall not exceed ten thousand dollars.

Charitable
schools in Phila-
delphia.

SECTION 2. That the overseers of the public schools founded by charter in the town and county of Philadelphia, be and they are hereby authorized to receive, take and hold real and personal property to the clear annual income, in the whole, of ten thousand dollars.

Pennsylvania
hospital.

SECTION 3. *And whereas,* The contributors to the Pennsylvania hospital have existed as a corporation for upwards of a century, to the great benefit and relief of many thousands of sick, wounded and insane persons admitted therein for treatment, and has been

wholly sustained by private charity and without any charge upon the public treasury: *And whereas*, The said corporation has now two large buildings, and the inmates thereof to sustain by the income of its invested capital, and are about to erect another that the sexes of the insane department may be separately accommodated, which will require an increase of revenue to sustain it: be it, therefore, further enacted by the authority aforesaid, that the said contributors to the Pennsylvania hospital may acquire and hold for the maintenance and support of the several departments, and the inmates thereof, ground rents, bonds and mortgages, public and corporate loans and stocks, to produce an annual income, together with such investments now held, not exceeding in the whole fifty thousand dollars per annum.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 179.

AN ACT

To legitimate Mary Kline.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Mary Kline, daughter of Christian and Elizabeth Seachrist, of Juniata county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatever, as fully and effectually as if she had been born in lawful wedlock.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 180.

A N A C T

To incorporate the Barndtsville and Hilltown Turnpike Road Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Isaiah James, Aaron Barndt, David Barndt, Martin Eckhart, Henry Landis, Peter Swartz, John Swartley, Martin Swartley, Jacob Bachman, Samuel Geil, John Eckhart, John F. King, Samuel Godshalk, John Detweiler, Jacob Geil, Jacob Detweiler, Thomas Jacoby, Jesse More, Samuel Swartley, George Swartley, Henry Fretz, (miller,) C. B. Fretz, Martin D. Rosenberger, John H. Matthias, Owen Heaton, Dr. A. J. Hines, Joseph Rosenberger, Jacob Funk, Abiah James, Samuel Wolf, Charles Brunner, Chalkley J. Kimbel, John F. Kline, William Hoffman, Samuel Fly, John Procktor, Jacob Kratz, Simeon Kratz, Jacob Wisner, David Rickert, Abraham Derstein, Samuel Krout, Samuel Shupe, Simeon S. Bitting, John Roberts, Valentine Clymer, Noah Sheip, John Sheip, A. T. Rowland, John Snyder, Enos Hunsperger, Charles Nace, Christian Moyer, Isaac Jacoby, John Albright, Isaac Lewis, Mahlon Haldeman, or any five of them, are hereby appointed commissioners, and invested with all the powers and privileges granted by the act regulating turnpike and plank road companies, passed and approved the twenty-sixth January, one thousand eight hundred and forty-nine, and contained in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, nineteenth, twentieth and twenty-first sections of the said act.

Route. SECTION 2. That the president and managers of said Barndtsville and Hilltown turnpike road company, when organized, are hereby authorized to lay out said turnpike road, commencing at or near the east end of the White Hall bridge in Barndtsville, Bucks county, and thence by the most practicable route to intersect the Old Bethlehem road at some point between the Octagon school house and Henry Albright's store, in Hilltown township, Bucks county; the aforesaid president and managers to have the power to depart from the present location of the road, where it may be necessary to straighten the present bed of the road as now laid out, or avoid hills, with a grade not exceeding five degrees.

Tolls. SECTION 3. That the president and managers of the said Barndtsville and Hilltown turnpike road company, are hereby authorized to charge and receive the same rate of tolls, and to borrow money, as the Doylestown and Willow Grove turnpike road company are empowered by the act and supplementary acts incorporating the said Doylestown and Willow Grove turnpike road company.

Capital stock. SECTION 4. That the company shall not be liable for fractions of a cent for tolls; and the capital stock of the said Barndtsville and Hilltown turnpike road company, shall be nine thousand dollars, at twenty-five dollars for each share.

SECTION 5. That when, and so often as the president and managers of this company shall have completed any one mile or more of the said road, they may proceed to have the same inspected and licensed for taking toll thereon, in the same manner, and with the like restrictions and privileges as is contained in the twelfth section providing for the inspection of five or more miles when finished. Toll gates.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 181.

AN ACT

Authorizing the laying out of a certain road in Fulton and Huntingdon counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Lyons, William Horton, George W. B. Sipes, of Fulton county, David Barnet, of Bedford county, and Jesse Cook, of Huntingdon county, be and they are hereby appointed commissioners to view and lay out a state road, from a point in Wells township, Fulton county, known as the junction of the Broad Top and Hopewell road, to Broad Top city, on the Huntingdon and Broad Top railroad, in Huntingdon county. Commissioners

SECTION 2. That it shall be the duty of the said board of commissioners, or a majority of them, after taking and subscribing an oath or affirmation, before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground over which the said road may pass, and lay out the same to the width of forty feet, as near to a straight line from point to point, as the nature of the ground will permit, at an elevation of not more than four degrees from a horizontal line; and they are hereby authorized to vacate any road, or part of a road, leading in the same direction, laid out by order of the courts of quarter sessions of the respective counties, which, in their opinion, may be supplied by the same. Duties.

SECTION 3. That it shall be the duty of the said commissioners plainly to mark upon the ground, the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties of this act enjoined, the said commissioners are hereby authorized to employ a surveyor, at a per diem allowance not exceeding three dollars, a target man and axeman, and two Mark location.

chain carriers, each at an allowance not exceeding one dollar and fifty cents, and the said commissioners, respectively, shall receive a per diem allowance of two dollars, for each and every day necessarily spent in the discharge of the duties enjoined by this act, to be paid as hereafter directed.

Draft.

SECTION 4. That it shall be the duty of the said board of commissioners to make out a fair and accurate draft of the location of the said road, together with any that may be vacated, or any part thereof, in pursuance of the authority aforesaid, respectively noting thereon courses and distances as they occur, and improvements passed through, also the crossing of township lines, roads and waters, with such other matters as may serve for explanation, one copy thereof to be deposited in the office of the secretary of the commonwealth, on or before the fifteenth day of July next, and one copy in the offices of the clerks of the courts of quarter sessions in the respective counties through which said road may be laid out, on the day aforesaid, or as much sooner as practicable; and said road thereafter shall, to all intents and purposes, be a public highway, and opened to the width aforesaid, and repaired in all respects as roads are opened and repaired which are laid out by order of the courts aforesaid.

Road to be opened

SECTION 5. That it shall be the duty of the supervisors of the townships through which the said road may pass, to open the same to the width aforesaid, and where excavation or filling may become necessary, the bed of the road shall be at least thirty feet, and its entire course thrown up in the centre, at least fifteen inches above the plane of its sides, so that no part shall exceed an elevation of four degrees from a horizontal line, and on failing to comply with the above, shall be subject to the same fines and penalties, that are now imposed upon supervisors for refusing to open and repair roads laid out by order of the courts of quarter sessions of the respective counties.

Expenses, how paid.

SECTION 6. That the accounts of the said commissioners, for their own pay, and allowance for compensation to the persons employed, as aforesaid, shall be made out and returned to the commissioners of the counties in which the said road may be laid out, and paid in proportion to the time they may be so employed in each county, in locating the same, and they shall be paid out of the treasuries of the respective counties, on warrants drawn in the usual way.

Meeting.

SECTION 7. That the said commissioners shall meet on or before the fifteenth day of May next, at such place as a majority of them shall agree upon, and complete the location of the said road as soon thereafter as practicable; and if any vacancy shall happen, by death or otherwise, the court of quarter sessions of the county in which the said vacancy shall occur, is hereby authorized to supply the same, by a suitable appointment; and in the difference of opinion, a majority of the commissioners shall determine, and the report of such majority shall be conclusive, and as available as if made by all of them.

Vacancies.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 182.

AN ACT

Incorporating the Sugar and Limestone Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That **Commissioners.** Anthony Cleckner, Jonathan Moyer, Jacob Carstedler, John Shadle, Michael Sypher, William Welshans, senior, Daniel Shadle, J. J. Sanderson, A. H. M'Henry, James Wilson, Jacob Rodermell, George M. Hepburn, William N. Wilson and John Sebring, are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style **Style.** and title of the Sugar and Limestone Valley turnpike road company, with power to construct a turnpike road from or near Logansville, in the county of Clinton, by the way of Rough's Gap, Sanderson's mill, to the east end of the second bridge **Route.** from the borough of Jersey Shore, in the county of Lycoming, over and on any road now opened or laid out, or which may be laid out at the time the said company may be ready to begin the construction of any part of the said road, subject to all the **Subject to.** provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of said company shall consist of five hundred shares at twenty-five dollars a share: **Capital.** *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act.

SECTION 3. That the said company shall commence the said **Limitation.** road within two years, and finish it within five years, and failing to do so, this act shall be null and void, except so far as to wind up the affairs and pay the debts of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 183.

AN ACT

To extend the time for completing the Butler and Freeport Turnpike Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the completion of the Butler and Freeport turnpike road, is hereby extended for a period of five years, to be computed from the first day of April, one thousand eight hundred and fifty-six.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 184.

AN ACT

To authorize the laying out of a State Road from Reverend Ehrenfeldt's, in Armstrong county, to Alexander Miller's, in Westmoreland county.

Commissioners.

Duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Israel Hill, of the county of Armstrong, and William Ross and William Park, of the county of Westmoreland, be and they are hereby appointed commissioners to view and lay out a state road from a point on the Kittanning road, at the south-west end of the Reverend Ehrenfeldt's lane, in the township of Allegheny, in the county of Armstrong, to intersect the state road leading from Elderton to Logan's ferry, at some suitable point between Alexander Miller's, and school house number five, in Burrel township, Westmoreland county, commencing at the first above named point, thence to the Kiskiminetas river, crossing the same at the pond of Hill's grist mill, to intersect the Hill's Mill and William Brown road at or near Fenlon's shantees; thence along that road to the second above mentioned point, making no change on the bed of that road, except such as may be necessary to get a grade not exceeding five degrees.*

SECTION 2. That it shall be the duty of said commissioners ^{To be sworn.} as soon as practicable, having been first sworn or affirmed before a justice of the peace or other proper officer, to perform the duties enjoined on them by this act with impartiality and fidelity, which said oath or affirmation shall be filed in his office by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the best ground and the shortest distance, so as best to promote the public good, and do the least injury to private property, and clearly and distinctly mark on the ground the route agreed upon, so as to enable the supervisors to readily find the same.

SECTION 3. That the said commissioners shall have authority, ^{Location.} by this act, to lay out any part of said road on the bed of any road or part of a road heretofore laid out by authority of law; and they shall make a fair and accurate draft of the location of said road, noting the courses and distances, with a reference to ^{Draft.} the improvements through which it passes; one copy whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of August next, and another copy in the office of the court of quarter sessions in each of the said counties on or before said day; and from thenceforth the said road, so as aforesaid surveyed and marked on the ground, shall be to all intents and purposes a public highway, and shall be opened forty feet wide, and at a grade not exceeding five degrees from a horizontal line; and shall be made and repaired in all respects as roads laid out by order of court; and the damages, if any, sustained by the owners of land through which it passes, shall be assessed and paid, as provided by the act of the thirteenth day of June, one thousand eight hundred and thirty-six, relating to roads and highways.

SECTION 4. That the said commissioners, and the surveyor ^{Surveyor, &c.} who may be employed by them as an artist on said road, shall each be entitled to receive two dollars per day, for each and every day they shall be necessarily employed in performing the duties enjoined by this act; and the said commissioners are hereby authorized to appoint two chain carriers, and one axeman, at a reasonable compensation, not exceeding one dollar ^{Pay.} and fifty cents per day, and their accounts shall be certified by the commissioners, and paid by the treasurers of the said counties, in proportion to the length of said road, in said counties, respectively, on orders drawn on them by the county commissioners; and if any vacancy shall occur, by resignation or otherwise, the remaining commissioner or commissioners, shall have power to fill vacancies by appointment.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 185.

A FURTHER SUPPLEMENT

To an act to establish a Ferry over the river Susquehanna, at or near Ulster, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry S. Davidson, his heirs and assigns, shall keep good and substantial boats and flats, and careful ferry-men, who shall, as occasion may require, attend for the purpose of transporting travelers, and others, across the said river, and in failure thereof, unless for good reason shown, he or they shall forfeit and pay a fine of five dollars, for every such neglect of duty, which amount may be sued for, and recovered, before any justice of the peace in the township of Ulster, in said county of Bradford, if suit be brought within ten days thereafter.

Duty to keep good boats, &c.

Penalty for not doing so.

How penalty may be recovered.

SECTION 2. That the penalty named in the supplement to the act to which this is a supplement, passed the fifth day of May, one thousand eight hundred and fifty-five, may be sued for, and recovered, before any justice of the peace in the township of Ulster, in said county: *Provided,* That suit for said penalty, or forfeiture, be brought within ten days after the offence shall have been committed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 186.

A FURTHER SUPPLEMENT

To the act, entitled "An Act to incorporate the Pittsburg and Braddock's Field Plank Road Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Pittsburg and Braddock's Field plank road company, with the assent and concurrence of three-fourths the value of the stock thereof, to be signified in writing, or declared at a general meeting of the stockholders, to be con-

vened for that purpose, to abandon the whole or any part of ^{May abandon} that portion of their road, lying between the Six Mile run and ^{part of road.} its eastern terminus: *Provided however*, That the part so abandoned shall continue to be used as a public highway, and shall thence forward be within the control of the public authorities, and subject to all existing regulations in regard to state or county roads.

SECTION 2. That the president and managers of the said ^{Borrow money.} company, be and they are hereby authorized to raise by way of loan, at a rate of interest not above seven per cent. per annum, a sum of money not exceeding ten thousand dollars, on the condition that the same shall be expended in repairing that portion of their road lying between the city of Pittsburg and the Six Mile run, and covering the same with stone or other hard substance, and the revenues of that portion of said road, after deducting the charges for collection and so much thereof as may be required for keeping the same in good and sufficient repair, applied to the payment of interest on the said loan, and the surplus, if any, to the re-payment of the principal thereof; and that they be and are hereby accordingly authorized to mortgage or pledge the said revenues for the payment of the debt so to be incurred, with its interest as aforesaid, so as to entitle the same to priority over the claim of any other creditor or creditors: *Provided*, That no bond shall be issued for a less amount than one hundred dollars.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 187.

AN ACT

Authorizing the County Commissioners of Cumberland county, to erect a Bridge over the Conodogwinnet creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the county commissioners of the county of Cumberland, be and the same are hereby authorized to take down the old bridge over the Conodogwinnet creek, near the dwelling house of Joseph Quigley, in said county, on the state road leading from Carlisle to Fort Littleton, in the county of Fulton, and to erect or cause to be erected a new bridge on or near the site of said old one, and to pay for the necessary work and materials and all ex-

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penses necessarily incurred, in the same manner as if viewers, the grand jury and the commissioners of said county had approved the said new bridge as a county bridge, in accordance with provisions of the act relating to roads, highways and bridges, approved the thirteenth day of June, one thousand eight hundred and thirty-six.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 188.

A N A C T

To lay out a State Road from the borough of Franklin, Venango county, to Cochrannton, in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Adams, of Venango county, Aaron Mumford, of Crawford county, Hugh Baird, of Mercer county, be and they are hereby appointed commissioners to view and lay out a state road from the borough of Franklin, by way of Utica, in Venango county, to the borough of Cochrannton, in Crawford county.

SECTION 2. That it shall be the duty of said commissioners as soon as practicable, having first been duly sworn or affirmed before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath or affirmation shall be filed in his office by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the ground and shortest distance, so as best to promote the public good, and do the least injury to private property, and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same.

SECTION 3. That the said commissioners shall have authority by this act, to lay out any part of said road on the bed of any road or part of a road or towing path heretofore constructed or laid out by authority of law; and they shall make a fair and accurate draft of the location of said road, neting the courses and distances, with a reference to the improvement; one copy whereof shall be deposited in the office of the secretary of the commonwealth on or before the first day of November next, and one copy in the office of the clerk of the court of quarter ses-

means of each of the said counties on or before the first day of November; and from henceforth the road shall be, to all intents and purposes, a public highway, and shall be opened to the width of thirty feet, and at a grade not to exceed five degrees from a horizontal line, and shall be made and repaired, in all respects, as roads laid out by order of court; and the damages sustained by the owners of land, if any, shall be assessed and paid as provided by the act of the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

SECTION 4. That the supervisors of the townships of the several counties where the road crosses French creek, shall have power to erect bridges: *Provided*, That the same does not interfere with the navigation of said stream. Bridges.

SECTION 5. That the said commissioners, one of whom may be an artist on said road, shall each be entitled to receive two dollars per day for each and every day they shall be necessarily employed in performing the duties of this act, and the artist shall be entitled to receive fifty cents per day additional compensation; and the said commissioners are hereby authorized to employ two chain carriers and one axeman, at a compensation not exceeding one dollar and fifty cents per day; and the accounts shall be registered by the commissioners, and paid by the treasurers of said counties in the usual manner; and if any vacancy shall occur by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply such vacancy or vacancies by appointment. Pay.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 189.

AN ACT

To authorize the creation of Piers in Buffalo creek, Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Frank, Slifer and company, of the borough of Lewisburg, in the county of Union, be and they are hereby authorized and empowered to erect and construct any number of piers in Buffalo creek, at such place as may be necessary and convenient for the safety and preservation of the timber they may have in said creek contiguous to their saw-mill in said borough: *Provided*, That said piers shall be so located and constructed as not to

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impede or obstruct the free use of said creek for any of the purposes for which it has heretofore been used by the public.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 190.

A SUPPLEMENT

To an act to enable the Governor to incorporate a company to make an artificial road from the Blue Ball tavern, on the Downingtown, Ephrata and Harrisburg turnpike through New Holland to Binkley's bridge, from thence to the borough of Lancaster, approved twentieth March, one thousand eight hundred and ten.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name, style and title of the president, managers and company of the New Holland turnpike road, shall hereafter be the New Holland turnpike road company, and by that name and title shall hereafter sue and be sued, and have and enjoy all the corporate rights, franchises, privileges and immunities, and shall be subject to all the restrictions granted and imposed upon the said company by the act authorizing the same to be incorporated, and the supplements thereto, and the said privileges, franchises and restrictions are hereby renewed and confirmed.

Name.

Privileges.

Certain proceedings regulated.

SECTION 2. That hereafter all proceedings against the said New Holland turnpike road company, for any neglect or refusal to keep their road in good and perfect order and repair, or in good traveling order and repair, or for any penalty inflicted on them for the same, shall be commenced and prosecuted according to the provisions of the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections of the act of assembly, entitled "An Act regulating turnpike and plank road companies," approved January twenty-sixth, one thousand eight hundred and forty-nine.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 191.

AN ACT

To authorize the School Directors of the borough of Pine Grove, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the common school of the borough of Pine Grove, in the county of Schuylkill, be and they are hereby authorized and empowered to borrow any sum or sums of money not exceeding two thousand dollars in the aggregate, to be applied to the purpose of purchasing suitable lots of ground, and erecting suitable buildings thereon, to accommodate and meet the wants of said school district of the borough of Pine Grove, and issue bonds for the same, not less than one hundred dollars each, at any rate of interest not exceeding seven per cent. per annum; and that it may be lawful for the board of school directors of said Pine Grove borough school district to secure the money so borrowed by bond or bonds, with mortgage or mortgages upon the real estate belonging, or that may then belong to the common school district of said borough, or otherwise, as said directors may direct.

May borrow money.

Issue bonds.

And give a mortgage.

SECTION 2. That the directors of the common school of the borough of Pine Grove, in the county of Schuylkill aforesaid, be and they are hereby authorized and empowered to sell, convey and assure to any person or persons, by private sale or otherwise, all that certain lot of ground, with the buildings thereon erected, now held and used by the said directors for school purposes, situate in the borough of Pine Grove, in the county of Schuylkill, as aforesaid, and to apply the proceeds of said sale to the purchase of other suitable lot or lots of ground, and the erection of a school house in said district.

May sell certain lot.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 192.

A SUPPLEMENT

To an act passed the sixteenth day of June, one thousand eight hundred and thirty-six, entitled "An Act to authorize Suit to be brought on the Official Bond of William B. Mitchell, late Superintendent."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain alley in the city of Pittsburg, called "Adams alley," twenty-five feet wide, and extending from Wayne street towards Garrison alley, about two hundred and forty feet, between Penn street and the Allegheny river, in the Fourth ward, be and the same is hereby exempted from the provisions of the ninth section of the act to which this is a supplement, and declared to be vacated.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 193.

A SUPPLEMENT

To an act incorporating the village of Bethlehem, in the county of Northampton, into a borough, passed sixth day of March, Anno Domini one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the limits of the borough of Bethlehem, in the county of Northampton, state of Pennsylvania, be and the same are hereby extended so as to include the territory embraced in the following boundaries, to wit: Beginning at a stone the south-east corner of said borough, on the north side of the Lehigh coal and navigation company's canal, it being a joint corner of lands of the said Lehigh coal and navigation company, and the lands of the congregation of the United Brethren in the borough of Bethlehem and its vicinity;

thence through the lands of P. H. Goepf, the congregation of the United Brethren, William Luckenbach, now or late of Aaron W. Radley, F. Fenner, north five and one-half degrees east two hundred and seventy-eight perches; thence through the lands of F. Fenner, John Freitag, John J. Levers and Daniel Desh, to the forks of the Easton and Nazareth road where it reaches the present east line of the borough north eighty-four and one-half degrees west a distance of one hundred and four and one-fourth perches. Also that this territory so included shall constitute a part of the election and school district of the borough of Bethlehem, and shall be subject to all laws relating to said borough.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 194.

AN ACT

Authorizing the Brigade Inspector of the First Brigade Twelfth Division, Pennsylvania Militia, to settle and adjust the accounts of said brigade.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the captains of companies, and all other claimants who are entitled to receive pay under existing laws, for any kind of military service within the first brigade, twelfth division, Pennsylvania militia, shall be allowed the same out of any unappropriated balance in the military funds in the commonwealth, notwithstanding said claims have not heretofore been presented for adjustment according to law: Provided, That all claims which would have been payable under existing laws, shall be presented within six months from the passage of this act to the proper brigade inspector of said brigade, properly authenticated under oath or affirmation; the said brigade inspector is hereby authorized and required to settle and adjust the same, and present the said account to the auditor general for settlement and allowance.

Section 2. That the state treasurer is hereby authorized and required to pay to the order of the proper brigade inspector of said brigade, any balance which may be due on said accounts, out of the unappropriated military funds of the commonwealth, at any time they may be presented duly authenticated, according to the first section of this act: Provided, The same shall

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not exceed the amount paid into the treasury by the counties composing said brigade, since the year one thousand eight hundred and fifty-two.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 195.

A SUPPLEMENT

To the act to incorporate the Seamen's Saving Fund Society of Philadelphia, approved the twenty-seventh day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the proviso in the first section of the act to which this is a supplement, be and the same is hereby repealed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 196.

A FURTHER SUPPLEMENT

To an act to incorporate the Allegheny and New Brighton Plank Road Company, approved twenty-fifth of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Allegheny and New Brighton plank road company be and*

they are hereby authorized to construct their road at a grade not exceeding four degrees; that the capital stock may be increased eight thousand dollars; that the company have power to Macadamize any portion of said road that may be agreed upon by a majority of the board of directors, at a meeting held for that purpose, due notice having been given in one newspaper in the city of Pittsburg; and that said company shall commence the construction of said road at the Allegheny city line, and when two miles have been completed, toll may be collected, as directed by the charter of said company.

SECTION 2. That the supplement to the act recited in the title, approved the twenty-seventh April, eighteen hundred and fifty-five, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 197.

AN ACT

To authorize the consolidation of the Treverton and Susquehanna Railroad Company, and the Mahanoy and Shamokin Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Treverton and Susquehanna railroad company, and the Mahanoy and Shamokin improvement company, be and they are hereby authorized to consolidate such companies into a single corporation, in the manner and upon the conditions prescribed in this act. May consolidate.

SECTION 2. That the directors of said companies may agree upon the terms, manner and conditions of said consolidation, and the mode of carrying the same into effect, and afterwards shall call a special meeting of the stockholders of each company to take such agreement into consideration, which meeting shall be held in the city of Philadelphia, and at least twenty days' public notice of the time and place thereof shall be given, in at least one newspaper published in the city of Philadelphia, and one newspaper published in each of the counties in which said companies may hold property. Terms of consolidation.

SECTION 3. That it shall be the duty of the directors of each company to submit in detail the agreement which they may have entered into under the provisions of this act, to the stockholders, at the meetings above provided for, and if approved To be submitted to stockholders.

New name.

and confirmed by a majority of not less than two-thirds of the stockholders voting in person or by proxy, such agreement shall be deemed and taken as the valid and legal act of said companies, and as such shall be obligatory and binding on each; and all the corporate powers and privileges of each shall thereupon be merged into one consolidated corporation, to be known by the name, style and title of the Treverton coal and railroad company, and as such shall enjoy and exercise all the rights, powers and privileges conferred, and be subject to the same restrictions and conditions as are now imposed on the said Treverton and Susquehanna railroad company, and Mahanoy and Shamokin improvement company, except such as may be altered or supplied by this act: *Provided*, That a certified copy, under oath, of the proceedings of such meetings, made by the secretaries thereof respectively, and attached to said agreement, shall be duly recorded in the office of the recorder of deeds, et cetera, for the city of Philadelphia, and certified copies thereof shall be evidence of the lawful holding and action of such meetings, and of the corporate existence of said consolidated company, and upon filing a copy thereof in the office of the secretary of state, letters patent shall be issued to said consolidated corporation, in the name aforesaid.

Election of officers

SECTION 4. That it shall be the duty of the directors of said companies, to provide in this agreement of consolidation for a meeting of stockholders of the consolidated company, for the purpose of choosing a president and directors to serve for one year thereafter, or until their successors shall be chosen, to prescribe the number of directors, the scale of voting by the stockholders, determine the par value of the stock of the company, provide for the issuing of certificates therefor, and make such other provisions as are necessary or expedient to perfect the organization of the new or consolidated company.

Old officers continued.

SECTION 5. That until the election of president and directors as provided for in the next preceding section, the affairs of the companies aforesaid shall be managed by boards of directors of the respective companies.

By-laws.

SECTION 6. That the stockholders of said consolidated company shall have power, at their first or any subsequent meeting, to establish such by-laws for the government of the corporation as they may deem expedient, which shall not be inconsistent with the provisions of this act, or the laws and constitution of this state or the United states.

Powers of directors.

SECTION 7. That upon the election of the first board of directors of the said new corporation, all and singular the rights, franchises and interests of the said corporations consolidated as aforesaid, in and to every species of property, real, personal and mixed, and things in action thereunto belonging, shall be deemed to be transferred and vested in such new corporation without any other deed or transfer, and such new corporation shall hold and enjoy the same, together with the rights of way and all other rights of property, franchises and interests, in the same manner and to the same extent as if the said corporations so consolidated should have continued to retain the title and transact the business of such corporations; and the title and real estate acquired by either of said corporations shall not be deemed to revert or be impaired by means of such act of consolidation or any thing relating thereto.

SECTION 8. That the rights of creditors of said corporations ^{Rights and duties of new company.} so consolidated, shall not in any manner be impaired by this act of consolidation, nor shall any liability or obligation for the payment of any money now due, or hereafter to become due to this commonwealth or any individual, or any claim or demand for damages for any act done or neglect suffered by such corporations respectively, be in any manner released or impaired, but such new corporation is declared to succeed to such obligations and liabilities, and to be held liable to pay and discharge all the debts and liabilities of each of said corporations so consolidated, whether on contract or for misconduct or neglect either to this commonwealth or to individuals, and it shall be liable to have an action brought against it to enforce the payment of any money or damages, or the performance of any duty which either of said corporations so consolidated was liable to pay or perform, in the same manner as if such new corporation had itself incurred the obligation or liability to pay such money or damages, or perform such duty; and no suit, action, or other proceeding now pending before any court or tribunal in which either of the said corporations so consolidated is a party, shall be deemed to have abated or discontinued by reason of such agreement or consolidation, but the same may be prosecuted to final judgment, in the same manner as if the said corporations had not entered into such agreement, ~~or the said new corporation may be substituted as a party in the place of either corporation of which it shall be composed, by order of the court in which such action, suit or proceeding may be pending.~~

SECTION 9. That the said new corporation shall have power ^{May hold lands.} to take and hold coal lands in fee simple, not exceeding the amount of four thousand five hundred acres, and to prove and open therein and thereon veins of coal and other minerals, and fit and prepare the same to be worked, and mine and prepare for market, and vend the said coal and other minerals, and erect the machinery and fixtures necessary therefor: and further, shall have power to take and hold wood lands in fee simple, not exceeding the amount of six thousand acres: *Provided*, That this company shall not own or hold any coal or other lands, other than they now hold in the county of Schuylkill.

SECTION 10. That it shall be the duty of said consolidated ^{Return to Auditor General.} company, within three months after its organization, to make return to the auditor general, under the oath or affirmation of the president and secretary, of the whole amount of capital employed for mining purposes; and it shall be the duty of said company to pay into the state treasury, in four annual instalments, one-half of one per cent. on such capital so employed; ^{Bonus.} and in the event of said capital being at any time increased, it shall be the duty of said company, in instalments as aforesaid, to pay into the state treasury one-half of one per cent. on such increase.

SECTION 11. That upon the organization of said consolidated ^{Subject to.} company, the railroad belonging to it shall be subject to all the restrictions, and entitled to all the privileges contained in the eighteenth section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 12. The charter of the corporation created by this ^{Limitation.} act, shall terminate at the expiration of twenty years from the passage of this act; and the legislature reserves the power to

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repeal the charter whenever, in their opinion, the interests of the public requires the same, doing no injustice to the stockholders.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 198.

A SUPPLEMENT

To an act incorporating the Northern Central Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Northern Central railway company to sell or dispose of their bonds to such person or persons as may be willing to purchase the same, at such rates as may be agreed upon, the proceeds thereof to be applied to the construction and equipment of said Northern Central railway, with a view to its more effective capacity for business; and the said company is also hereby authorized to make contracts for the use of their own cars and machinery, or those of any other company whose road may connect with that of the Northern Central railway company, for running and employing the same upon their respective roads, or either of them, in the transportation of coal, lumber, iron ore and limestone; and to contract with manufacturers on the line of their road, or any roads with which they connect, for transportation of the same articles, on such terms as may be agreed upon.

SECTION 2. That this act to have full force and effect, when accepted by the stockholders of the Northern Central railway company, and a certificate of the same is deposited with the secretary of the commonwealth.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

No. 199.

AN ACT

To incorporate the Glendon Lehigh Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Richards, John Best, Valentine Mutchler, John Bachman, Thomas Bishop, William Fermstone, Jacob B. Odenwalder, E. Rockwell, John A. Slater, Aaron Fry, Samuel Hiel, Jacob Edleman and Thomas Deshler, are hereby appointed commissioners to open books, receive subscriptions, and organize a company under the name, style and title of the Glendon Lehigh bridge company, for the purpose of erecting a bridge across the river Lehigh, in the county of Northampton, at or near the village of Glendon. Commissioners.
Style.

SECTION 2. That the capital stock of said company shall be fifteen thousand dollars, to be divided into six hundred shares of twenty-five dollars each, with power to increase the said capital stock, and number of shares, to an amount sufficient for the erection of said bridge. Capital.

SECTION 3. That said company shall be organized under and subject to. subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 200.

A SUPPLEMENT

To an act relating to hawkers and pedlars in the counties of Lehigh, Dauphin, Sullivan, Wyoming and Bucks, approved April twentieth, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all prosecutions under the act to which this is a supplement,

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the party giving the information upon which the conviction may be had, shall be exempted to the extent of the penalty by him not prescribed: Provided, That the provisions of this section shall not extend to any person convicted.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

Approved—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-six.
JAMES POLLOCK.

No. 281.

AN ACT

To authorize the Canal Commissioners to examine the claim of J. L. Bishop.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Canal Commissioners are hereby authorized to examine the claim of J. M. Bishop, for work done towards the construction of a culvert on section thirty-two, of the North Branch canal, and report to the legislature, stating the sum which may be equitably due him beyond the terms of his contract, if, in their judgment, he is justly entitled to some compensation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

Approved—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-six.
JAMES POLLOCK.

No. 202.

A SUPPLEMENT

act relating to the finances of Berks county, approved April twenty-fifth, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same,* That commissioners appointed under the provisions of an act relating to the finances of Berks county, approved the twenty-fifth day of April, one thousand eight hundred and fifty-five, make a report of their proceedings to the court of common pleas of said county, at the April term next ensuing, and if the opinion of said court it shall be necessary for the said commissioners to proceed any further in the duties prescribed by the above named act, the court shall assign a day when they shall make a final report, which day shall not be later than the first day of the August term following the April term aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 203.

AN ACT

To incorporate the Union Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same,* That William Lilly, Martin Coryell, George Markle, A. G. Gaw and M. M. Cooper, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Union improvement company, and as such shall have power to take and hold lands in the townships of Hazle, Sugar Loaf, Denison, Butler and Black Creek, in Luzerne county; and the said company shall have all the powers, privileges and immunities, and be subject to all the restrictions and liabilities contained in and conferred by an act, entitled "An Act to incorporate the Big Black Creek improve-

LAWS OF PENNSYLVANIA,

ment company," approved the twelfth day of April, one thousand eight hundred and fifty-five: *Provided*, That the said company shall elect seven directors for the management thereof.

SECTION 2. That the legislature reserves the right to alter, amend or annul this charter at any time hereafter: *Provided*, That no injustice be done to the incorporators: *Provided further*, That the said company shall pay a bonus to the state, for the privileges above granted, of one-half of one per cent. on its capital stock paid in, payable in four equal annual instalments, after the creation of said capital stock; the first payment to be made in one year from the passage of this act: *And provided further*, That the capital stock of the said company shall at no time exceed thirty thousand shares of fifty dollars each.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 204.

AN ACT

Supplementary to an act to prevent Waste in certain cases in this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the fourth, fifth, sixth, seventh and eighth sections of an act, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases in this commonwealth,' passed the twenty-ninth day of March, one thousand eight hundred and twenty-two; to land and building associations, and for other purposes," approved April twenty-second, one thousand eight hundred and fifty, be and the same are hereby extended to the county of York.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 205.

AN ACT

To incorporate the Wyoming Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles Stewart, Walter D. Stewart, Charles L. Plimpton, Asa B. Stewart, Henry Spear, Marcellus Pryer, Socrates D. Hall, Andrew Ten Eyck, Edwin A. Brooks, Jerome B. Simpson, James B. Jones, Shepherd T. Lippencott, George C. Mann, John D. Locke, Enoch Ketcham, Zalmon Taylor, Egbert Starr, Stephen Paul, Erastus B. Roberts, Crowell Hadden, Joseph Lee, Charles H. Rogers and Francis Tryon, of the city of New York; John G. Gebhart and Augustus B. F. Pond, of Schoharie, New York; John M. Corliss and Albert C. Gunnison, of Troy, New York; and Lewis W. Crawford and Amos Y. Smith, of the county of Luzerne, in this commonwealth, and such other persons as shall be associated with them, and their successors and assigns, be and the same are hereby erected and constituted a body politic and corporate in deed and in law, by the name, style and title of the Wyoming coal and iron company, with a capital stock of one million of dollars, with the power to increase the same any sum not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each.

SECTION 2. That the affairs of said company shall be managed by a board of nine directors, one of whom shall be the president, who shall be chosen by the directors. The first election shall be held within six months after the passage of this act, of which election public notice shall be given at least two weeks in one of the newspapers in Luzerne county, and subsequent elections shall be held annually at such time and place in the said county as the directors shall determine, of which like notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in shall entitle the holder to one vote.

SECTION 3. That this corporation shall have the authority to hold and use a common seal, and the same to change, alter or amend at pleasure, and by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court in this commonwealth or elsewhere, may make all needful rules, regulations and by-laws for the management and well ordering of the business and affairs of the corporation, the same not being in conflict with the laws and constitution of this commonwealth or of the United States.

SECTION 4. That the said corporation shall have the right to purchase and hold in fee simple or for any less estate, coal and ore lands in the townships of Exeter, Pittston and Lackawanna, in the county of Luzerne, not exceeding at any one time two thousand acres at any one time, and limestone and iron ore lands in the counties of Columbia and Montour, not exceeding three hundred acres at any one time, with power to mortgage, sell, lease, or otherwise dispose of the same or any part thereof;

and the capital of the company may be employed in acquiring said lands, in mining iron ore, making and manufacturing iron, mining coal and limestone, and transporting and vending the same, and for such other objects as are necessary and proper in the prosecution of said business.

Report to Auditor General.

SECTION 5. That an annual report shall be made to the auditor general of this commonwealth, in the month of January, verified by the oath or affirmation of the president, secretary or treasurer of said company, showing the amount of capital stock paid in, the quantity of coal and ore lands, timber lands, limestone lands, and iron ore lands held, and where situate, the quantity of coal mined and of iron manufactured and sold for the current previous year, and shall also state the names of all stockholders at the date of such report.

Transfers.

SECTION 6. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation.

Dividends.

SECTION 7. That dividends may be declared and paid semi-annually, or annually, as the directors may order, but such dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation in their individual capacity, for the excess so divided and paid.

Act to take effect.

SECTION 8. That this act shall not take effect until three thousand shares shall be subscribed and paid in, of which a statement containing the names of the subscribers, and the amount subscribed by each, verified by the oath or affirmation of one of the subscribers, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon the governor shall issue letters patent to the corporators.

Subscriptions.

SECTION 9. That subscriptions of stock may be paid in real estate appropriate to the business contemplated by this act, at a bona fide cash valuation, to be fixed and agreed upon by a majority in interest of the subscribers and stockholders: *Provided*, That the whole amount of real estate held by said company shall at no time exceed that mentioned in the fourth section of this act.

Bonus to State.

SECTION 10. That said corporation shall pay to the state treasurer, for the use of the commonwealth, one-half of one per centum upon their capital stock, in four equal annual instalments after issuing of letters patent, and at the like rate, and in like manner, upon any increase thereof from the time of such increase.

Transfer office.

SECTION 11. That all transfers of stock in said company shall be entered on the stock books thereof; and the said company shall keep an office, for the transaction of business, in the county of Luzerne; and at such office shall keep the stock books aforesaid, open at all times to the inspection of any officer, stockholder or creditor of said company.

Borrow money.

SECTION 12. That said corporation may borrow money and issue their bonds therefor, with or without any accompanying mortgage, at a rate of interest not to exceed seven per centum per annum; not to exceed in the aggregate, at any one time, the sum of five hundred thousand dollars.

Subject to.

SECTION 13. That the stockholders and corporation shall be subject to all the provisions and liabilities contained in the eleventh, twelfth, thirteenth and fourteenth sections of an act, titled "An Act to incorporate the Lackawanna iron and coal

company," approved the fifth day of April, one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be individually liable in person or estate, for any loan or loans made to the said company.

SECTION 14. That this charter shall continue in force for twenty years from the date of the letters patent and no longer, unless extended by an act of the legislature, except for the purpose of winding up its affairs; and the legislature reserves the right to amend, alter or repeal the same at any time, in such manner, however, as shall do no injustice to the corporators. Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 206.

AN ACT

For the relief of Mrs Eliza Fleck, widow of John Fleck.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of five hundred dollars be and the same is hereby appropriated to Eliza Fleck, widow of John Fleck, a fireman on the Columbia railroad, who was killed on the thirteenth day of September, one thousand eight hundred and fifty-four, while in the discharge of his duty on the engine Columbia, near the Eagle station: *Provided*, That the above sum of five hundred dollars be paid to her the said Eliza Fleck in person.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 218.

AN ACT

Authorizing the State Treasurer to pay the claim of John Wallower and Son.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized and instructed to pay the claim of John Wallower and Son in full, for damages done to their cars on the Philadelphia and Columbia' railroad July thirteenth, one thousand eight hundred and fifty-two, and November fourth, one thousand eight hundred and fifty-three, the sum of three hundred and eighty-five dollars and eighty-three cents, as per award of the canal commissioners, dated April tenth, one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 219.

AN ACT

To legitimate L. W. Clemson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Leonard Wesley Clemson, son of Leonard Clemson, of Halifax township, Dauphin county, shall have and enjoy all the rights and privileges of a legitimate child of the said Leonard Clemson, and shall be able and capable in law to inherit and transmit to his children, or other immediate descendants, or to the heirs of his said father, any estate whatsoever, as fully and effectually and to all intents and purposes as if he had been born in lawful wedlock.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

any to secure the money so borrowed by bond or bonds of the said company, signed by the president and treasurer thereof, and mortgage on its property or otherwise, as the president and managers may deem proper: *Provided*, That no bond shall be issued for a less sum than one hundred dollars: *Provided also*, That the board of managers shall have the right to purchase their bonds any time that they may deem proper.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 209.

A SUPPLEMENT

To an act, entitled "An Act to provide for the election of Prothonotaries, Clerks, Recorders and Registers," approved the second day of July, one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter the qualified electors of the county of Schuylkill, at their next general election which entitles them by existing laws to elect prothonotary, clerk of quarter sessions, clerk of oyer and terminer, register, recorder and clerk of the orphans' court, and at every election triennially thereafter, shall elect one person to fill the office of prothonotary, one person to fill the offices of clerk of the courts of quarter sessions and oyer and terminer, one person to fill the offices of clerk of the orphans' court and register of wills, and one person to fill the office of recorder of deeds.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six

JAMES POLLOCK.

No. 210.

AN ACT

Relative to the taxation of moneys at interest in the borough of Doylestown,
Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the act of assembly of this commonwealth, passed March nineteenth, one thousand eight hundred and fifty-one, entitled "An Act authorizing Watson Comly, Josiah Walton and Charles Wormsley, to sell and convey certain real estate, and relative to the taxation of moneys at interest in the borough of Doylestown, and township of Richland, Bucks county," be and the same is hereby repealed, so far as the same relates to the borough of Doylestown.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini
one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 211.

AN ACT

To prevent the Hunting of Deer with Dogs in the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act to prevent the hunting of deer with dogs in the counties of Tioga, Schuylkill, et cetera, approved the ninth day of April, one thousand eight hundred and fifty-two, be and the same are hereby extended to the county of Centre.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini
one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 212.

AN ACT

Supplementary to an act to establish a Board of Health, and to secure the city and port of Pittsburg from the introduction of pestilential and contagious diseases, and other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* if any person or persons shall cause or permit to be thrown, cast or placed, any object matter or thing which may have a tendency to endanger the health of the citizens of the city of Pittsburg, on any lot of ground, street, lane or alley within said city, every person so offending shall on conviction thereof before the mayor or any alderman of said city, forfeit and pay for the use of the board of health of said city the sum of not less than two, nor more than five dollars for every such offence; and if any owner or occupier of any lot of ground within said city shall hereafter knowingly or wilfully suffer or permit any such object, matter or thing as aforesaid to be, lie or remain on such lot, every person so offending shall, on conviction thereof as aforesaid, forfeit and pay the like penalty of not less than two, nor more than five dollars, for the use of said board of health: *Provided, That nothing herein contained shall be construed to take away any of the penalties prescribed by the original act establishing said board of health, or its supplement.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 213.

AN ACT

To establish a Public Ferry across the Sinnamahoning creek, in the county of Clinton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James Chatham and Benjamin Myers, and their heirs and as-

No. 210.

AN ACT

Relative to the taxation of moneys at interest in the borough of Doylestown,
Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the act of assembly of this commonwealth, passed March nineteenth, one thousand eight hundred and fifty-one, entitled "An Act authorizing Watson Comly, Josiah Walton and Charles Wormsley, to sell and convey certain real estate, and relative to the taxation of moneys at interest in the borough of Doylestown, and township of Richland, Bucks county," be and the same is hereby repealed, so far as the same relates to the borough of Doylestown.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini
one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 211.

AN ACT

To prevent the Hunting of Deer with Dogs in the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act to prevent the hunting of deer with dogs in the counties of Tioga, Schuylkill, et cetera, approved the ninth day of April, one thousand eight hundred and fifty-two, be and the same are hereby extended to the county of Centre.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini
one thousand eight hundred and fifty-six.

JAMES POLLOCK.

Carner, John Swaits, Henry M'Cuen, Thomas M'Kain, James Gordon, George Shaffer, H. P. Postcas, Jacob Struble, Roland Curtin, M. T. Melekin, George Valentine, James Irone, junior, J. Gregg, Conrad Struble, James J. Hale, H. N. M'Alister and E. Blanchard, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Bellefonte and Junction turnpike road company, with power to construct a turnpike road from the Junction House, in Clinton county, to Bellefonte, in Centre county, partly clay and partly stone, or either, subject to all the provisions and restrictions of an act relating to turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, That when the company shall have completed two miles or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of twenty-sixth day of January, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of five hundred shares of twenty-five dollars each: *Provided*, That the said company may, from time to time, by a vote of its stockholders at a meeting called for that purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true meaning and intent of this act.

SECTION 3. That if said company shall not commence the construction of their road within three years, and complete it within five years, this act shall be null and void, except so much thereof as shall be necessary to wind up the affairs and pay the debts of the company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLACK.

No. 215.

A SUPPLEMENT

To an act to provide for the election of Prothonotaries, Clerks, Records and Registers, approved the second day of July, one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the qualified electors of the county of Clearfield, at their next general election which entitles them by existing laws*

Ferry authorised. signs, shall have the right and privilege, at their own expense, to make a good and convenient landing on the east and west sides of the Sinnamahoning creek, at any point between the mouth of the said Sinnamahoning creek and the Moccasin falls, in the said county of Clinton; and to use the said Sinnamahoning creek between the said landings, from the mouth of said creek to falls above designated, as a public ferry.

Must be kept in good repair. SECTION 2. That the said James Chatham and Benjamin Myers, and their heirs and assigns, shall keep the said landings and ferry in good condition and repair, fit for the transportation and passage of men, horses, other animals, freight and carriages of all description; and shall keep good and substantial boats, and other necessary crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting travelers and others, cattle, freight and carriages over the said creek, with all reasonable diligence and attention.

Tolls. SECTION 3. That the said James Chatham and Benjamin Myers, and their heirs and assigns, for keeping up and maintaining the said landings and ferry as aforesaid, shall receive from persons passing over the said creek at said ferry, such toll or charges as are usually paid at other ferries over similar streams; subject to such rules and regulations as the court of quarter sessions of the county of Clinton may order and direct: *Provide.* *Provided,* That nothing in this act contained shall be so construed as to invest in the said James Chatham and Benjamin Myers, and their heirs and assigns, the right to receive or discharge any travelers, cattle or carriages as aforesaid, on land belonging to any other person or persons, without the consent of the owner or owners of such land, or to prevent any future legislature from resuming the privileges hereby granted.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 214.

AN ACT

To incorporate the Bellefonte and Junction Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Huston, William Smith, junior, Anthony Carter, John

rate the Metropolitan insurance association ; and said company having, immediately after such election, procured the name of the said corporation to be changed from that of the Metropolitan insurance association of Pennsylvania, to that of the Continental insurance company, it is hereby declared that the said the Continental insurance company is fully and legally seized, empowered and possessed of all the franchises, powers and privileges granted by the act, entitled "An Act to incorporate the Metropolitan insurance association of Pennsylvania," and may immediately proceed, by virtue of the aforesaid organization, to transact any business authorized by said act to which this is a supplement.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 217.

A N A C T

Fixing the time of meeting, and the compensation of Auditors of the borough Kittanning.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the regular annual meeting of the borough auditors of the borough of Kittanning, in the county of Armstrong, shall be on the second Monday of May, of each year, and that each auditor shall be allowed the sum of one dollar and fifty cents for his services.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 218.

AN ACT

Authorizing the State Treasurer to pay the claim of John Wallower and Son.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized and instructed to pay the claim of John Wallower and Son in full, for damages done to their cars on the Philadelphia and Columbia railroad July thirteenth, one thousand eight hundred and fifty-two, and November fourth, one thousand eight hundred and fifty-three, the sum of three hundred and eighty-five dollars and eighty-three cents, as per award of the canal commissioners, dated April tenth, one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 219.

AN ACT

To legitimate L. W. Clemson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Leonard Wesley Clemson, son of Leonard Clemson, of Halifax township, Dauphin county, shall have and enjoy all the rights and privileges of a legitimate child of the said Leonard Clemson, and shall be able and capable in law to inherit and transmit to his children, or other immediate descendants, or to the heirs of his said father, any estate whatsoever, as fully and effectually and to all intents and purposes as if he had been born in lawful wedlock.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

rate the Metropolitan insurance association ; and said company having, immediately after such election, procured the name of the said corporation to be changed from that of the Metropolitan insurance association of Pennsylvania, to that of the Continental insurance company, it is hereby declared that the said the Continental insurance company is fully and legally seized, empowered and possessed of all the franchises, powers and privileges granted by the act, entitled "An Act to incorporate the Metropolitan insurance association of Pennsylvania," and may immediately proceed, by virtue of the aforesaid organization, to transact any business authorized by said act to which this is a supplement.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 217.

AN ACT

Fixing the time of meeting, and the compensation of Auditors of the borough Kittanning.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the regular annual meeting of the borough auditors of the borough of Kittanning, in the county of Armstrong, shall be on the second Monday of May, of each year, and that each auditor shall be allowed the sum of one dollar and fifty cents for his services.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

and after the available proceeds from other sources shall have been exhausted.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 222.

A FURTHER SUPPLEMENT

To an act to incorporate the Wilkesbarre Coal Company, approved the twelfth day of March, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the bonds in the nature of certificates of loan, which the Wilkesbarre coal company have been authorized to issue, may bear seven per centum interest per annum, and be made payable in ten years or less, and the stock or shareholders in voting at their meetings, shall each be entitled to give one vote for each share of stock they may respectively hold.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 223.

AN ACT

Authorizing the Canal Commissioners to examine the claim of Campbell, Simpson & Co., for work done on the North Branch division of the Pennsylvania canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the canal commissioners be and they are hereby authorized and required to examine the claims of Campbell, Simpson & Company, contractors on sections number one hundred and sixty-one and one hundred and sixty-two, and aqueduct number eight, North Branch division of the Pennsylvania canal, for losses alleged to have been sustained by them in the construction of the said works, and report what amount if any is due them.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 224.

A SUPPLEMENT

To an act incorporating the Columbia and Chesnut Hill Turnpike Road Company, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Columbia and Chesnut Hill turnpike road company be and they are hereby authorized and empowered to charge for all hauling and travel over their turnpike road, the same rates of toll that the Lancaster and Marietta turnpike road company are authorized to charge; and hereafter it shall not be lawful for any person to haul over said Columbia and Chesnut Hill turnpike road any greater weight than three tons at any one load, unless by consent of said company previously obtained.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 225.

AN ACT

To regulate the time of holding the several Courts of the county of Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the commencement of the terms of the several courts of the county of Montour, shall hereafter be on the third Mondays of February, May, September and December, in each year.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 226.

AN ACT

Authorizing the Inspectors of the Prison, and Directors of the Almshouse, of Lancaster county, to elect a Moral Instructor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the inspectors of the prison, and directors of the almshouse, of Lancaster county, are hereby authorized conjointly to elect annually a moral instructor, at a time and place to be agreed upon by said officers, whose time and services shall be equally given to each of the said institutions, and whose duty it shall be to advise, instruct and direct, in the English and German languages, the prisoners and paupers in said institutions in their moral and religious obligations, and perform such other services as shall, in the opinion of said inspectors and directors, appertain to his duty; and said instructor shall receive, as a compensation for his services, such sum as shall be determined by a majority of the aforesaid officers.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 227.

A SUPPLEMENT

To an act to incorporate the Wellsborough and Tioga Plank Road Company, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Wellsborough and Tioga plank road company be and the same is hereby authorized to cover the plank of said road with pounded stone or gravel, or other hard substance, in lieu of replanking the same, at all such points as the directors or managers of said company may deem it advisable.* May stone road.

SECTION 2. That in lieu of the tolls now by law chargeable for teams drawing sawed lumber or boards over said road, said Wellsborough and Tioga plank road company shall be authorized, from and after the passage of this act, to charge at the rate of two cents per mile per thousand feet: *Provided, That this act shall not be construed so as to forbid charging teams when returning from hauling lumber, the same rates of toll as are now by law recoverable from other teams passing over said road.* Tolls.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 228.

A SUPPLEMENT

To an act to authorize the Governor to incorporate the Glenn Hope and Little Bald Eagle Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Division of road authorized. the stockholders in the said Glenn Hope and Little Bald Eagle turnpike road company are hereby authorized and empowered to make a division of said turnpike road, so as to form thereof two distinct and separate corporations; one of which embracing the line of said turnpike road from Muddy run to its eastern terminus, at Birmingham, shall be styled the Glenn Hope and

Styles. Tyrone turnpike road company, and shall be represented by the stockholders who live east of said Muddy run; the other, embracing the western end of said turnpike road from Muddy run to its terminus, at Packersville, in Clearfield county, shall be styled the Glenn Hope and Susquehanna turnpike road company, and be represented by the stockholders who reside west of said

Proviso. Muddy run: *Provided*, That previous to such separation of interests, the question shall have been submitted to the stockholders at an election to be held for that purpose, and of which election there shall be published a notice, to be inserted for three successive weeks, and signed by the president of the Glenn Hope and Little Bald Eagle turnpike road company, in one or more newspapers in Clearfield county, and one or more in Blair county; and a majority of the stockholders present and voting at said election, shall be deemed final: *And provided further*, That any separation of interests made in pursuance hereof, shall not be construed to impair or in anywise affect any contract, liability or obligation belonging or attached to the said Glenn Hope and Little Bald Eagle turnpike road company at the time of such separation or division.

Election of officers SECTION 2. That it shall be proper for the stockholders representing respectively the two divisions of said road immediately after such election, and at the call of the president of the Glenn Hope and Little Bald Eagle turnpike road company, to meet together and choose officers for their respective divisions, in the manner prescribed by the act to which this act is a supplement; and the organization thus made and established, shall have all the privileges, and be subject to all the liabilities of the act incorporating the Glenn Hope and Little Bald Eagle turnpike road company, and the supplements thereto; and the officers elected at this first election, shall retain their offices until the general election provided for in the act to which this act is a supplement.

Roads may be sold. SECTION 3. That the board of managers of either or both the divisions herein erected into corporate bodies may sell, lease or otherwise dispose of their respective franchise or parts thereof: *Provided*, That such sale, lease or disposal shall have first received the assent of a majority of the stockholders representing the same, and shall impair no previously existing right or obligation.

Connections allowed. SECTION 4. That in case of sale, lease or other connection on the part of the Glenn Hope and Susquehanna division of said road with the Tuckahoe and Mount Pleasant plank road company, the said Tuckahoe and Mount Pleasant plank road company shall allow to the said Glenn Hope and Tyrone turnpike road company, the right and privilege to tap and connect with said plank road at any point that may be deemed advisable by

the board of managers of the said Glenn Hope and Tyrone turnpike road company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 229.

AN ACT

To appropriate the road taxes on certain unseated lands in Clearfield county, to the improvement of a road through the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road taxes assessed and to be collected during the ensuing six years, under existing laws of this commonwealth, upon and from all the unseated lands in the township of Huston, in the county of Clearfield, and also upon all the unseated lands in the townships of Lawrence and Pike, in the said county, which lie west of the Susquehanna river and north of the turnpike leading from Clearfield to Luthersburg, shall be and they are hereby appropriated to, and directed to be expended upon, the improvement of the township road leading from the town of Clearfield to Bennet's Branch of the Simmesahoning creek, at or near Jesse Wilson's.

Certain road taxes appropriated to repair of a certain road.

SECTION 2. That G. Latimer Reed, David Tyler and A. K. Wright, of the county of Clearfield, be and they are hereby appointed commissioners to superintend the appropriation aforesaid, and they shall have like powers and be subject to like responsibilities as supervisors of highways in the county of Clearfield, are now by law vested with and subject to; and in addition thereto shall have power to change the location of such parts of said road as they may deem best for the permanent improvement of the same; and if such changes are made, they shall file in the office of the clerk of the court of quarter sessions of said county, a draft showing the changes so made as contrasted with the old road: *Provided,* That the said commissioners shall, before entering upon their duties, file in the office of the clerk of the court aforesaid their bond, with two securities to be approved by one of the judges thereof, in two thousand dollars, conditioned for the faithful performance of their duties under this act of assembly, and that the accounts of said commissioners shall be filed in and subject to correction and approval by the court of quarter sessions aforesaid.

Commissioners.

Their duties.

Vacancies.

SECTION 3. That the court of quarter sessions of the county of Clearfield, shall have power to fill vacancies in said board of commissioners, and to direct the amount of security to be given by the appointee.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 230.

A SUPPLEMENT

To the charter of the West Ward Water Company of Easton.

Who contracts to
be made with:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the owners of the freehold in and upon which said water is so taken and used, shall in all cases be the parties with whom such contract for the use of the water shall be made, and the said real estate be bound for and liable for the payment of the same, reserving to the company the right to contract with the lessee or tenant, on the responsibility of the lessee or tenants, if they see fit or proper so to do, and any person or persons within the said borough, who shall take any of said water for domestic or other uses, without having previously contracted for the same with the said president and managers, shall forfeit and pay for every such offence any sum not exceeding the sum of fifty dollars to the president and managers, for the use of the company, to be recovered before a justice of the peace by action of debt or assumpsit, in the same manner as debts of equal amounts are now recoverable.

Penalty for using
water illegally.

Water may be
stopped.

SECTION 2. That if any person or persons or body politic, who shall have contracted with the said company for the use of said water, shall wantonly or unnecessarily waste the same to the injury of said company, or shall permit any other person or persons not being by the said contract entitled to the use of the same, or shall neglect or fail to pay to the said company the amount of money by him, her or them agreed upon to be paid, as a compensation for the use of said water, for the period of three months after the same shall be due and payable according to the terms of said contract, it shall be lawful for the president and managers to withhold and cut off such water from the premises of such individual or body politic and corporate, until all such

arrears, with interest and cost of recovering the same, shall be paid : *Provided*, That nothing herein shall be so construed as to affect, impair, or take away the right of said company to sue for and recover the amount of such arrears.

SECTION 3. That the fourteenth section of the act, entitled *Repeal*. "An Act to incorporate the West Ward water company," approved the fourth day of May, Anno Domini one thousand eight hundred and fifty-four, and the seventh section of a supplement to an act to incorporate the West Ward water company, approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 231

A FURTHER SUPPLEMENT

To the act incorporating the Williamsport and Elmira Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of enabling the Williamsport and Elmira railroad company to settle and pay off their floating debt, and to purchase such additional machinery as their business may require, it shall be lawful for the said company, at any time within five years after the passage of this act, with the consent of a majority in value of the stockholders of said company first given at a meeting called for that purpose, to mortgage or transfer in trust, at such rate of interest, and upon such terms and conditions as they may deem expedient, as security for any money that may be lent or advanced to them, or any debts that they may now or hereafter owe, the personal property, or any part thereof that may now or hereafter belong to the said company; and the said mortgage or transfer shall be a good and valid security, without delivery of the possession of the things so mortgaged or transferred, till the re-payment of the said mortgage, or the debt for which the same is transferred; the lien thereof on such property, and all of it, shall not be in any way discharged or impaired, or affected by any subsequent mortgage or sale by an execution creditor or otherwise; and as

May borrow
money and mort-
gage road.

against all persons, except mortgagees, vendees or execution creditors before the date of such mortgage, the same shall be held good and valid, and the property so authorized to be mortgaged or transferred, may remain and continue to be used on the road of the said company, or on any other road, subject to such mortgage or transfer, without, in anywise, impairing the force or validity thereof: *Provided*, That all debts against the company for ties, wood and other materials furnished, or damages ascertained, or labor performed along the line of the road, shall be paid up in full, or satisfactorily secured to the creditor, up to the date of the creation of the first mortgage or trust under this law; and that on each and every subsequent trust or mortgage so created, all such debts and damages shall be so paid or secured up to the date of its creation; and that it shall be the duty of the mortgagee or trustee, to see that the above conditions have been complied with before accepting the trust, and to endorse on each bond issued under the mortgage, the fact of such fulfillment: *Provided also*, That every such mortgage or transfer shall be signed by the president, and sealed with the seal of the said company, and acknowledged and recorded as hereinafter directed: *And provided further*, That every locomotive, tender, car and each separate piece of such rolling stock or property shall, when mortgaged or transferred as aforesaid, have distinctly painted thereon in some conspicuous place, and in letters not less than two inches in length, the word "mortgaged," together with the date of the instrument under which the same is so mortgaged or transferred.

Mortgage to be
authorized and
recorded.]

SECTION 2. That every such mortgage or transfer as aforesaid, shall be first duly acknowledged or proved in manner as directed by the existing laws of this commonwealth, providing for the acknowledgment of mortgages of real property made by corporations, and recorded within twenty days after the execution thereof in the office of the recorder of deeds of each county wherein the railroad of the said company may pass; and a copy of the record of every such mortgage or transfer, certified by such recorder, shall be held to be as good evidence and effectual in law, as the original mortgage or transfer.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 232.

AN ACT

To authorize the appointment of an Auctioneer in the borough of Danville, in Montour county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly, passed the thirtieth day of March, one thousand eight hundred and fifty-four, entitled "An Act to authorize the appointment of an auctioneer in Clinton county, and in the borough of Meadville, in Crawford county," be and the same are hereby extended to the borough of Danville, in Montour county.

Act extended to Montour county.

SECTION 2. That neither the auctioneer appointed under the authority of this act, nor any one for him, shall import or cause to be imported from any place without the limits of the county of Montour, any goods, wares and merchandize of any description, either directly or indirectly, for the purpose of exposing them to sale within the borough of Danville, nor shall said auctioneer sell, by himself or agents, any goods so imported for the purpose of being so exposed to sale at auction, under the penalty of one hundred dollars, to be sued for and recovered in the manner and for the uses specified in the third section of this act.

Certain acts prohibited.

SECTION 3. That no person or persons shall, under pretence of declining business, dispose of his, her, or their goods or merchandize at public auction in the said borough of Danville, unless such person shall have resided and been a licensed retailer in the said borough for at least six months immediately preceding such sale, and that under such pretence of declining business no person or persons as aforesaid shall dispose of his, her, or their stock of goods or merchandize by public auction in said borough more than once in any term of twelve successive months; and every person or persons offending against this section, shall upon conviction forfeit and pay the sum of fifty dollars for each and every day he, she, or they shall offer such goods at auction, to be sued for and recovered, one half for the use of the person suing, and the other half for the use of the school fund of the said borough.

Auctions regulated.

SECTION 4. That the provisions of this act shall not prevent a sheriff, coroner, constable, or other proper officer from disposing of any property upon which he may levy as heretofore.

Exceptions.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

bed-rooms and eight beds, nor in any other part of the State at least two bed-rooms and four beds for such use.

Bonds to be given. SECTION 10. That before any license for the sale of liquors under the provisions of this act shall be granted, such person applying for the same shall give a bond to the commonwealth of Pennsylvania, with two sufficient sureties, in the sum of one thousand dollars where the license shall be above the seventh class, and in five hundred dollars for all in and below that class, conditioned for the faithful observance of all the laws of this commonwealth relating to the business of the principal obligor, and a warrant of attorney to confess judgment, which bond and warrant shall be approved by the said court, and be filed in the office of the clerk of the quarter sessions of the proper county; and whenever a judgment for any forfeiture or fine shall have been rendered, covered, or conviction had for any violation of the provisions of this act, or of any other law for the observance of which said bond shall be conditioned, it shall be the duty of the district attorney of the proper county to enter up judgment and institute suit thereon, and thereupon the same proceedings shall be had, and with the like effect and with the same costs as now provided by law in the case of forfeited bonds and recognizances in the several counties of this commonwealth. The bond to be given by the keepers of eating houses as aforesaid shall, in all cases, be in the sum of five hundred dollars.

Fee must be paid before issuing of license. SECTION 11. That it shall not be lawful for the clerk of said court to issue any license as aforesaid, until the applicant shall have filed the certificate of the city or county treasurer, that the license fee has been paid.

Vendors to be classified. SECTION 12. That the vendors of vinous, malt or distilled liquors, either with or without other goods, wares or commodities, except as hereinafter provided, shall be classified and rated as prescribed in an act to provide revenue to meet the demands on the treasury, and for other purposes, passed the fourth day of May, Anno Domini one thousand eight hundred and forty-one, and shall pay double the additional rate or tax in the tenth section of said act specified; but no such license for sales, of any amount, shall be granted for a less sum than fifty dollars.

Hotels, &c., to be classified. SECTION 13. That all hotels, inns and taverns, shall be classified and rated according to the estimated yearly rental of the house and property intended to be occupied for said purpose, as follows, to wit: All cases where the valuation of the yearly rental of the said house and property shall be ten thousand dollars or more, shall constitute the first class, and pay one thousand dollars; where the valuation of the yearly rental shall be eight thousand dollars and not more than ten thousand dollars, the second class, and shall pay eight hundred dollars; where the valuation of the rental shall be six thousand dollars and not more than eight thousand dollars, the third class, and shall pay six hundred dollars; where the valuation of rental shall be four thousand dollars and not more than six thousand dollars, the fourth class, and shall pay four hundred dollars; where the valuation of rental shall be two thousand dollars and not more than four thousand dollars, the fifth class, and shall pay three hundred dollars; where the valuation of rental shall be one thousand dollars and not more than two thousand dollars, the sixth class, and shall pay one hundred and fifty dollars; where the valuation shall be five hundred dollars and not more than one thousand dollars, the seventh class, and shall pay one

hundred dollars; where the valuation of the rental shall be three hundred dollars and not more than five hundred dollars, the eighth class, and shall pay fifty dollars; and where the valuation of the rental shall be under three hundred dollars the ninth class, and shall pay twenty-five dollars: *Provided*, That in the cities of Philadelphia and Pittsburg, no license granted under the twelfth and thirteenth sections of this act, shall be for a less sum than seventy-five dollars, nor in other cities, towns or boroughs, containing over two hundred taxables, less than fifty dollars.

SECTION 14. That no license shall be granted for the keeping of eating houses, except where they may be necessary for the accommodation of the public and travelers, and shall only authorize the sale of domestic wines, malt and brewed liquors; and all persons so licensed, shall be classified and rated according to the provisions of the twenty-second and twenty-third sections of an act to create a sinking fund and to provide for the gradual and certain extinguishment of the debt of the commonwealth, approved the tenth day of April, Anno Domini, one thousand eight hundred and forty nine, and shall pay double the rates required to be paid by said act: *Provided*, That no such license shall be granted in the cities of Philadelphia and Pittsburg for a less sum than fifty dollars, nor in other parts of the state for a less sum than twenty dollars.

SECTION 15. That all persons applying for license and classified under the thirteenth section of this act, shall be assessed and returned, as provided in the sixth, seventh, eighth and ninth sections of an act relating to inns, taverns and retailers of vinous and spirituous liquors, passed the eleventh day of March, Anno Domini, one thousand eight hundred and thirty-four, and those classified under the twelfth and fourteenth sections of this act, shall be assessed and returned by the persons and in the manner provided by law, in the several counties of this state, for the appraisement of mercantile taxes: *Provided*, That in the city of Philadelphia and county of Allegheny, said assessment and returns shall be made by the board of licensers, as hereinafter prescribed: *And provided*, That where any applicant has not, and cannot in due course of law, procure his assessment, rating and classification before his application for license during the present year, the proper court may on inquiry, fix the amount of his license, except in the city of Philadelphia and the county of Allegheny.

SECTION 16. That for the purpose of granting licenses to parties enumerated under the sixth section of this act, in the city and county of Philadelphia and county of Allegheny, the judges of the district courts in and for said counties respectively, shall, immediately after the passage of this act, appoint three temperate and reputable persons, citizens of said counties, and in no manner interested in or connected with the liquor business, who shall constitute a board of licensers for their respective counties; and the persons so appointed, shall meet at the district court room on the Monday next following their appointment, and shall make oath or affirmation before one of the judges of said courts, to discharge their duties faithfully and impartially, and shall then and there, in the presence of said judge, divide themselves into three classes, by agreement or lot, with a term of service of one, two and three years respectively, from the first Monday of February last; and annually

Provide.

Eating house licenses.

What they may sell.

How classified.

Provide.

Certain classifications regulated.

Provide.

Court may fix license for present year.

Boards of licensers to be appointed for Philadelphia and Allegheny counties.

Meeting of boards

To be divided into classes.

thereafter, in the month of January, the said courts shall respectively appoint one person of like qualifications to fill the vacancy caused by the expiration of any term of service, as the same shall occur, and to serve for a period of three years; and any vacancy in said board from death, resignation or otherwise, shall be supplied by said courts respectively, for the unexpired term thereof.

Vacancies, how filled.

Boards to give notice of meeting.

Apportion hotels, &c.

Inquiry as to fitness of applicant, &c.

May grant or refuse license.

Shall decide upon sufficiency of bail in bonds.

Shall classify these licensed.

And fix price of license.

When licenses may be issued.

Appeals to court may be had.

SECTION 17. That immediately after being qualified, as aforesaid, and annually thereafter, before the first day of April, the said board shall give due notice by advertisement, in at least two newspapers published in their respective counties, of the time and place of their meeting, when and where, and from time to time, as may be necessary, the said board shall proceed to apportion among the wards of said city of Philadelphia, and wards, townships and boroughs within the county of Allegheny, the hotels, inns and taverns and eating houses, to which said city and county may be entitled under the provisions of this act, and to receive evidence for and against said application, and to grant licenses, for which purpose they shall inquire into the moral character and sobriety of the applicant and ascertain the locality, commodiousness and extent of the houses and property proposed to be occupied for the purpose mentioned in the petition, and whether the said license shall be required for the accommodation of the public; and the clerk of the court of quarter sessions of the said counties shall produce before said respective boards of licensers, the applications filed in their offices with proof of publication of notice, as aforesaid, and shall as a majority of the said board shall determine, mark on said applications "granted" or "refused;" and the said board shall at the same time decide upon the sufficiency of the sureties in the applicant's bond upon justification or proof; for which purpose and in the discharge of their other duties, the said board shall have the power to administer oaths and affirmations with the like effect as if taken in a judicial proceeding in court.

SECTION 18. That whenever any license as aforesaid shall be granted by said board, they shall, agreeably to the provisions of the twelfth, thirteenth and fourteenth sections of this act, and according to the classifications therein contained, estimate and ascertain the annual sales of said vendors and of said keepers of eating houses, and the yearly rental or valuation of the house and property occupied or intended to be occupied as a hotel, inn or tavern, and shall decide upon the rated price to be paid for said licenses for one year, according to said classification. The petitions and bonds in all cases where the application may be granted by said board, shall be returned to the said clerk's office, and licenses therefor be issued by him at any time after five days from the date of said return, unless an appeal be taken, as hereinafter provided, from the decision of said board upon any apportionment, classification or petition as aforesaid, in which case, at such time and in such manner as may be fixed by rule of court, the said court of quarter sessions shall forthwith proceed to consider and determine upon said appeals; and in the event of any apportionment or classification being set aside, the said board shall proceed to correct the same, according to the order of said court; and if an appeal from any license shall be sustained, they shall return from the applications already made, such as may be most meritorious, subject

however to an appeal in like manner, and so from time to time as may be necessary.

SECTION 19. That appeals from any apportionment, classification or grant of license by said board, may be taken to the court of quarter sessions of the proper county: *Provided*, That the exceptions thereto shall be in writing, and sustained by oath or affirmation, and shall be filed in said clerk's office within five days after the return; but no appeal shall be taken to any apportionment as aforesaid, unless the exceptions thereto shall be signed by at least twelve citizens of the ward, township or borough affected thereby. And if exceptions to the granting of any license as aforesaid shall be sustained by said court, the decision of said court shall state upon which of said exceptions the said license may be refused, and shall be endorsed upon the petition, and returned by the clerk of said court to the board of licensers.

Appeals regulated.

SECTION 20. That after the lapse of five days, as aforesaid, or as said appeals shall be determined by the court, the said clerk shall make out and issue to the proper persons said licenses, which shall run for one year from the first day of May; but no license shall be issued unless the applicant shall have paid the following fees, to wit: To the clerk of said court for publication of notice and petitions, and for all other services, one dollar; and for all the services of the board of licensers, one dollar; which latter amount shall be accounted for and paid over weekly to the respective treasurers of said city or county, to defray the necessary expenses incurred by said board for advertising, stationery and otherwise. Each member of said board of licensers shall receive five dollars for each day necessarily occupied by him in the discharge of his duties: *Provided*, That it shall not exceed in any one year the sum of five hundred dollars, and shall be paid upon warrants on the state treasurer, drawn by the auditor general in favor of the parties entitled to the same.

Licenses in Philadelphia and Allegheny counties to run one year from the first of May.

Fees for same.

Pay of board of licensers.

SECTION 21. That if any person shall give, bestow or promise any money, reward, office or anything of value to any member of said board of licensers, for the purpose of influencing his action in granting any such license, or if any member of said board shall accept the same for his vote or influence therein, any person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, be fined in a sum not less than one hundred dollars, nor more than five hundred dollars, and suffer imprisonment not less than one month, nor more than three months.

Penalty for illegally attempting to influence the board of licensers

SECTION 22. That every person licensed to sell spirituous, vinous, malt or brewed liquors under this act, shall frame his license under a glass, and place the same so that it may at all times be conspicuous in his chief place of making sales and no such license shall authorize sales by any person who shall neglect this requirement.

License to be framed and put up.

SECTION 23. That the commissioners of the several counties and board of licensers shall furnish a certified list of all persons so appraised, with the classification as made out and finally determined upon, to the treasurers of their respective counties, or of the city of Philadelphia, as the case may be, who shall within twenty days thereafter transmit to the auditor general a copy of such list, and shall receive and collect

Lists to be furnished county treasurers and Auditor General.

- the sums to be paid for said licenses, in the manner directed by law, with any fees payable thereon.
- Duty of Auditor General.** SECTION 24. That it shall be the duty of the auditor general to charge the said city or county treasurers, as the case may be, with the amount payable by the several persons in said lists, from the payment of any part of which amount said treasurers shall only be exonerated, by producing satisfactory evidence to the department that the party or parties, so returned, failed to obtain a license as aforesaid.
- Auditor General to make return to Legislature.** SECTION 25. That it shall be the duty of the auditor general to return to the legislature, annually, in the month of January, a statement, arranged in a tabular form, of the number and classification and license rates of all importers, brewers and distillers, keepers of hotels, inns or taverns, eating houses; and venders of vinous, spirituous and malt or brewed liquors, either with or without other goods, wares and merchandize, designating each county separately.
- License not transferable.** SECTION 26. That where any license may be granted as aforesaid, under the classifications of the twelfth, thirteenth and fourteenth sections of this act, it shall not be transferable, nor shall it confer the right to sell liquors as aforesaid, in any other house, building or place than the one mentioned and described in the license, nor shall the bar, or any apartment so called or used, be underlet; but if the party so licensed shall die, remove or cease to keep said hotel, inn, tavern, eating house or store, the said court or the board of licensers may grant a license for the remainder of the year, at any term of the court, to his or her successor, who shall comply with the law in other respects, except so far as relates to publishing of notice.
- Nor can bar be underlet.**
- Fractional licenses may be granted, when.**
- Number of licenses regulated.** SECTION 27. That the number of licenses so granted to keepers of hotels, inns or taverns, in the aggregate, shall not exceed in the cities, one to every one hundred taxables, nor in the several counties of the State, one to every one hundred and fifty taxables, the number of said taxables to be taken from the returns of the preceding year; and it shall be the duty of the courts of quarter sessions of the respective counties, (the city of Philadelphia and county of Allegheny excepted, where the board of licensers shall perform such duties,) immediately after the passage of this act, to apportion the aggregate number of hotels, inns or taverns so to be licensed, under the provisions hereof, among the cities, boroughs, towns and townships of their respective counties, which apportionment shall be made with reference to the convenience of the public, and the accommodation of strangers, travelers and sojourners; and the said court may, from time to time, as occasion may arise, alter, enlarge and change such apportionment: *Provided*, That the number of licenses to keepers of eating houses shall not exceed, in any city or county, one-fourth of the number of licenses for hotels, inns and taverns to which the said city or county may be entitled.
- Apportionment to be made.**
- One eating house to be licensed to every four taverns.**
- Penalty for violating this act.** SECTION 28. That any sale made of vinous, spirituous, malt or brewed liquors, or any admixtures thereof, contrary to the provisions of this law, shall be taken to be a misdemeanor, and upon conviction of the offence, in the court of quarter sessions of the peace of any city or county, the person so offending shall be sentenced to pay a fine of not less than ten nor more than one hundred dollars, with the costs of prosecution, and to stand committed until the sentence of the court is complied

with, not exceeding thirty days; and upon a second or any subsequent conviction, the party so offending shall, in addition to the payment of a fine as aforesaid, undergo an imprisonment in the county jail, of not less than one month nor more than three months, and if licensed, shall forfeit said license and be incapacitated from receiving any license as aforesaid for the period of five years thereafter; and any keeper of any drug or apothecary store, confectionary, or mineral or other fountain, who shall sell any spirituous, vinous, malt or brewed liquors, mixed or pure, to be used as a beverage, shall be deemed guilty of a misdemeanor, and liable to conviction and punishment as aforesaid.

Penalty on a second conviction.

SECTION 29. That any person who shall be found intoxicated in any street, highway, public house or public place, shall be fined, upon the view of or upon proof made before any mayor, alderman or justice of the peace, not exceeding five dollars, to be levied with the proper costs upon the goods and chattels of the defendant.

Intoxicated persons may be fined.

SECTION 30. That any person who shall sell spirituous or other intoxicating liquors as aforesaid, to any person who shall drink the same on the premises where sold, and become thereby intoxicated, shall, besides his liability in damages under any existing law, be fined five dollars for every such offence, to be recovered in debt before any alderman or justice of the peace, by any wife, husband, parent, child, relative or guardian of the person so injured, and levied upon the goods and chattels of the defendant without exemption: *Provided*, That suits shall not be instituted after twenty days from the commission of the offences in this and the preceding section.

Penalty for allowing intoxication.

Limitation to suits.

SECTION 31. That it shall be the duty of the court, mayor, alderman or justice of the peace, before whom any fine or penalty shall be recovered, to award to the informer or prosecutor, or both, a reasonable share thereof for time and trouble, but not in any case exceeding one-third; and the residue as well as the proceeds of all forfeited bonds as aforesaid, shall be paid to the directors of the public schools of the proper district, except in the city of Philadelphia, where they shall be paid to the city treasurer to be applied for school purposes; and nothing herein contained shall prevent any such informer or prosecutor from becoming a witness in any such case.

Distribution of proceeds of fines and penalties.

SECTION 32. That no person, pursuing exclusively the business of bottler of cider, perry, ale, porter or beer, and not at the same time following or engaging in any way in the business of keeping any hotel, inn or tavern, restaurant, oyster house or cellar, or place of entertainment, amusement or refreshment, shall be required to take out a license under the provisions of this law: *Provided*, That such persons shall not sell or deliver said cider, perry, ale, porter or beer, in less quantities than a dozen bottles at one time, nor permit any of said liquors to be drank upon the premises occupied in said business; and any violation of this section shall be punishable as and in the manner provided in the twenty-eighth section of this act: *And provided further*, That producers and manufacturers of domestic wines and cider may sell and deliver the same by any measure not less than five gallons, and in any quantity not less than one dozen bottles, without license therefor.

Bottlers of cider, &c., not required to have license.

Provide.

Provide.

SECTION 33. That the constables of the respective wards and townships shall make return of retailers of liquors, as now pro-

Constables to make returns under oath.

- vided by law; and in addition thereto it shall be the duty of every such constable, at each term of the court of quarter sessions of the respective counties, to make return on oath or affirmation, whether within his knowledge there is any place within his bailiwick kept and maintained in violation of this act, and it shall be the especial duty of the judges of all said courts to see that this return is faithfully made; and if any person shall make known in writing, with his or her name subscribed thereto, to such constable, the name or names of any one who shall have violated this act, with the names of witnesses who can prove the fact, it shall be his duty to make return thereof on oath or affirmation to the court, and upon his wilful failure to do so, he shall be deemed guilty of a misdemeanor, and upon indictment and conviction shall pay a fine of fifty dollars, and be subject to imprisonment at the discretion of the court, of not less than ten nor more than thirty days.
- Duty of judges.** **SECTION 34.** That if any person engaged in the sale or manufacture of intoxicating liquors, as aforesaid, shall employ or permit any intemperate person in any way to assist in such manufacture or sale, it shall be deemed a misdemeanor, and any person so offending shall be liable to conviction and punishment, as provided in the twenty-eighth section of this act.
- Constables to return violators of law when notified.** **SECTION 35.** That nothing herein contained shall be construed to impair or alter the provisions of an act approved the twenty-sixth day of February, Anno Domini, one thousand eight hundred and fifty-five, entitled "An Act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday," nor of the act of the eighth of May, one thousand eight hundred and fifty-four, entitled "An Act to protect certain domestic and private rights, and prevent abuses in the sale and use of intoxicating drinks," and the same are hereby declared to be in full force and effect: *Provided however,* That the act, entitled "An Act to restrain the sale of intoxicating liquors," approved the fourteenth day of April, Anno Domini, one thousand eight hundred and fifty-five, and all other laws or parts of laws inconsistent herewith, are hereby repealed: *Provided also,* That any license heretofore granted shall not be hereby invalidated.
- Employment of intemperate persons prohibited.**
- Certain former acts declared to be in force.**
- Repeal.**
- Licenses heretofore granted not invalidated.**

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 234.

AN ACT

To incorporate the Oxford Park Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles P. Relf, George E. Brock, George Megee, Fort Ihrie, R. D. Wilkison, N. B. Leidy, M. D., Lewis Chester, Jeremiah Vanbrunt, George W. Fitzwater, A. H. Raiguel, Francis Bockius, David K. Grim, William Dunlap, Casper Heft, Conrad S. Grove, George W. Conrad, William Broom, T. Jefferson Miller, Stephen Maguire, Joseph Becher, William D. Rodgers, J. K. Souder, George W. Rhawn, George P. Evans, John H. Evans, T. T. Derringer, George Wentworth, Edward W. Carr and Milton P. Miller, their associates and successors, be and they are hereby created a body politic and corporate by the name, style and title of the Oxford park association, and by that name shall sue and be sued and shall generally possess the powers and privileges of a corporation. Corporators.

SECTION 2. That the capital of said company shall be thirty-three thousand seven hundred and fifty dollars, divided into three hundred shares, the first one hundred and fifty subscribed for at one hundred dollars each, and the remaining one hundred and fifty at one hundred and twenty-five dollars each. Capital stock.

SECTION 3. That the members of said company shall have the right at the first or any subsequent meetings, to establish such by-laws for the government of the company as they may deem expedient, which by-laws shall not be inconsistent with the constitution of the United States, this state, or the provisions of this act. By-laws.

SECTION 4. That at all meetings or elections held by said company, the scale of voting shall be as follows: Each share from one to three shall entitle a member to one vote per share, but no more votes shall be allowed a member owning any number of shares beyond three, and voting by proxy shall not be permitted. Votes.

SECTION 5. That the members shall from time to time determine the number of their directors and officers, and shall clothe them with such power, not inconsistent with the provisions of this act, as they shall deem expedient. Officers.

SECTION 6. That the object of said company shall be to provide, keep and maintain in the city of Philadelphia, grounds and other real and personal estate of a net yearly value not exceeding three thousand dollars, suitable for gymnastic and other healthful and amusing exercises and purposes, and for agricultural, floral or mechanical exhibitions; but nothing herein contained shall be so construed as to permit any thing that is unlawful being done on the premises: *Provided,* That said company shall hold lands in the rural districts and not exceeding in the whole one hundred acres. Objects.

SECTION 7. That so much of the profits of said company as shall be deemed expedient by the directors, shall from time to

time be divided amongst the stockholders ; but no dividend shall be declared which will impair the capital of the company.

Elections.

SECTION 8. That the president, secretary, treasurer and directors shall be elected by ballot, by the members of said company, at such time and place as shall be agreed upon by a majority of the corporators named in the first section of this act, after giving at least one week's public notice thereof in at least one newspaper published in the city of Philadelphia ; and the president, secretary, treasurer and directors, who shall be elected at that time, shall hold their offices until the second Monday in January, one thousand eight hundred and fifty-seven, or until their successors shall have been chosen ; and on the second Monday in January, one thousand eight hundred and fifty-seven, and on the same day in every year thereafter, there shall be an election for president, secretary, treasurer and directors, who shall continue in office for one year, or until their successors shall have been chosen ; said election to be held at such time and place as the by-laws shall determine.

Annual meeting.

SECTION 9. That an annual meeting of members shall be held on the second Monday of January in each year, notice of which shall be sent by the secretary to each member ; but special meetings of the members shall be called by the president, and likewise by the board of directors at any time, at the request, in writing, of fifteen members ; one week's notice of such meeting shall be previously given by the secretary as aforesaid.

Membership.

SECTION 10. That every original subscriber shall be a member ; but no transfer of stock shall confer the right of membership upon the transferee, or entitle him to vote at any meeting or election of said company, except such transfer shall be approved of by the board of directors, in such manner as the by-laws shall provide.

Reservation.

SECTION 11. That the legislature reserves the right to alter or revoke this charter whenever its continuance shall become injurious to the interests of the public, in such manner, however, as no injustice shall be done the members.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

No. 235.

AN ACT

To authorize the burgess and town council of Lewistown, to subscribe stock to the Lewistown Gas Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the burgess and town council of the borough of Lewistown, Mifflin county, to subscribe for or purchase stock in the Lewistown gas company, to any amount not exceeding eighty shares, and to receive, hold and dispose of any stock so subscribed or purchased, in the same manner as other property belonging to said borough, and to have a right to vote for president and managers of said company the same as other stockholders in said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 236.

AN ACT

To provide for the incorporation of Insurance Companies.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever a special act of the general assembly shall be passed authorizing the incorporation of an insurance company within this commonwealth, the commissioners named in such act, or any five of them, shall have power to open books for receiving subscriptions to the capital stock of said company, at such time and place as they may deem expedient, after having given at least thirty days' previous notice in one or more newspapers published in the county where a book of subscription is to be opened, or if no such paper shall be published in said county, then in a newspaper published in the next adjoining county; at which time and place two or more of said commissioners shall

Who may subscribe.

attend, and permit all persons of lawful age who shall offer to subscribe in such book, in their own names, or in the name of any person who shall duly authorize the same, for any number of shares of stock; and the said book shall be kept open for the purpose aforesaid, at least six hours in every secular day, for the space of five days, or until the said book shall have the whole number of shares so authorized therein subscribed; and if at the expiration of the said five days, the book aforesaid shall not have the full number of shares so authorized therein subscribed, the said commissioners may adjourn from time to time, and transfer said book from place to place, until the whole number of shares shall be subscribed; of which adjournment and transfer, the commissioners aforesaid shall give public notice in one or more newspapers published as aforesaid; and when the whole number of shares shall be subscribed as aforesaid, the said book shall be closed: *Provided always*, That every person offering to subscribe in such books, in his own or any other name, shall, at the time of subscribing, pay to the attending commissioners five dollars for every share subscribed by such person; out of which fund shall be defrayed such incidental charges and expenses as may be incurred in taking such subscription, and the remainder shall be paid to the treasurer of the corporation as soon as the same shall be organized, and the officers chosen as hereinafter mentioned.

Amount to be paid on subscribing.

Letters patent.

SECTION 2. That when twenty persons or more shall have subscribed the whole number of shares authorized, and shall have paid ten per centum on the capital stock, the said commissioners or a majority of them shall certify, under their hands and seals, and with their oaths or affirmations respectively, the names of the subscribers, and the number of shares subscribed and amount paid in by each, to the governor of this commonwealth, who thereupon, if satisfied of the truth of said certificate, shall, by letters patent under his hand and seal of state, create and erect the subscribers into a body politic and corporate in deed and in law, by the name, style and title designated by said special act; and by such name the said subscribers, and those who may thereafter become associated with them, shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to make and to have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall be necessary and convenient for the government of said corporation, not being contrary to the constitution or laws of the United States or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well being of the said corporation and the management of the affairs thereof.

Privileges.

Shares.

How paid.

SECTION 3. That the capital stock of such company shall be divided into shares of fifty dollars each, payment of which shall be made in gold, silver, or notes of specie paying banks of this commonwealth, and in the manner following, to wit: five dollars on each share at the time of subscription as aforesaid, and twenty dollars on each share within ninety days thereafter, the residue to be paid in such instalments as by the by-laws of the corporation shall be directed, and if any subscriber, his or her assignee or transferee, shall refuse or neglect to pay the first or any subsequent instalment called for and demanded

by the directors of said company for the space of sixty days after the same shall be payable, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which payment shall not have been duly made, or shall be liable to suit therefor, with one per centum a month interest thereon, in the same manner as debts of the like amount are now recoverable.

SECTION 4. That the affairs of said company shall be managed by twelve directors, stockholders of the said corporation, who shall be elected annually on the second Monday of January, between the hours of ten A. M. and two P. M., and the directors so elected shall appoint a president and vice president of the company, and such other officers and agents as they may deem necessary for conducting the business of the corporation, who shall perform the duties of their respective offices until they shall be re-elected, removed from office, or their successors shall be chosen, and in case of the death or resignation of a director, the vacancy occasioned thereby shall be filled by the remaining directors. Directors and their election.

SECTION 5. That at all elections for directors, the votes of the stockholders shall be by ballot, each share of stock not exceeding ten having one vote, and every five shares over ten having one additional vote. No stockholder shall vote by proxy, nor shall he or she be entitled to vote after the said first election, unless the share or shares shall have been standing in his or her name, on the books of the company, for three months previous to said election, nor unless the whole sum due and payable on the share or shares by him or her held at the time of such election, shall have been fully paid and discharged. The first election of directors shall be held on the third Monday after letters patent shall have been granted as aforesaid; and said directors then chosen shall hold their offices until the first annual election, or until new directors shall be chosen as herein provided. Powers.

SECTION 6. That the shares of stock of the said corporation shall be assignable and transferable only on the books of the corporation, according to such rules and regulations as the directors shall for that purpose ordain and establish, and not otherwise. Electors.

SECTION 7. That the said companies shall be divided into two classes, the first of which shall be empowered to take risks against fire on all kinds of buildings, merchandize and other property, either limited or perpetual; to effect marine and inland insurances on vessels, cargoes and freights, and on merchandize and other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons, or otherwise, and to re-insure themselves. And the second class shall be empowered to insure the respective lives of its members and others, and to make all and every insurance appertaining to life risks of whatever kind or nature, and to receive and execute trusts, to make endowments, and to grant and purchase annuities; but in no case shall the powers conferred on the one class be exercised by the other class without special authority therefor from the legislature: *Provided*, That any company may limit itself in its charter to the exercise of a portion of the powers enumerated under either of the foregoing classifications. Votes.

SECTION 8. That any company incorporated under this act, shall not have nor exercise the powers of savings or discount institutions, and shall be subject to the right of the legislature Transfers.

Companies classified.

Prohibitions.

to alter, revoke or annul their charters, whenever, in their opinion, it may be necessary for the public welfare; in such manner, however, that no injustice be done to the corporators.

Investment of funds.

SECTION 9. That it shall and may be lawful for said companies to employ and invest their capital stock, and other moneys of said companies, in bonds and mortgages on real estate in respondentia or bottomry bonds, ground rents, stocks or loans of the United States and state of Pennsylvania, and in stocks or loans of any borough, city or institution incorporated by the laws of this state, and in other good securities, and to sell and transfer the same, and to re-invest the proceeds of such sale or transfer in other such loans, stocks or securities; and the real estate which it shall be lawful for said company to purchase, receive, hold and convey, shall be

What real estate may be held.

I. Such as shall be requisite for its immediate accommodation in the convenient transaction of business.

II. Such as shall have been mortgaged to it in good faith, by way of security for loans previously contracted, or for moneys due.

III. Such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

And how long.

IV. Such as shall be purchased at sales upon judgments, decrees or mortgages obtained or made for debts due said company, or for debts due other persons where said company may have liens or incumbrances on the same, and the purchase is deemed necessary to save the company from loss: *Provided*, That no real estate acquired by the corporation, except that necessary for the transaction of business, shall be retained by said corporation for a longer period than five years: *And provided further*, That whenever such company shall have the power of receiving and executing trusts under the second classification aforesaid, it shall be and is hereby authorized and empowered to take, receive and hold all estates and property, real and personal, which may be granted, committed, transferred or conveyed to it with its consent, upon any trust or trusts whatsoever, at any time or times, by any person or persons, body or bodies corporate, or by any court of the United States or of this state, and to administer, fulfil and discharge the duties of such trusts.

Trust estates.

Policies, &c.

SECTION 10. That in execution of the several powers that may be conferred on such companies respectively, they are hereby empowered to make, execute and perfect such contracts, bargains, agreements, policies and other instruments as shall or may be necessary, and as the nature of the case may require; and every such contract, bargain, policy and other agreement, shall be in writing or print under the corporate seal, and signed by the president, or in his absence or inability to serve, by the vice president, or other officer in that event designated by the by-laws, and shall be duly attested by the secretary or other proper officer of said company, who may be in like manner designated.

Intended plan of business to be designated.

SECTION 11. That whenever any company may be incorporated under this law, and may intend to transact its business upon the mutual principle exclusively, or in connection with a joint stock capital, it shall be so designated in its charter; and if upon the mutual principle exclusively, then the parties named in said special act, and their associates, shall be made and constituted a body corporate, directly, and without the grant of letters

patent, as hereinbefore provided in reference to joint stock companies; and in that case all persons insuring with, and continuing to be insured therein, shall thereby become members during the period they shall remain so insured, and no longer, and shall pay such rates as shall be determined by the board of directors, and be liable for all losses and expenses of said company, to the amount of the premiums paid, or agreed to be paid by said members respectively. At the elections for directors, each member insured by any sum not less than one dollar, paid in as a premium of insurance to said company during the year previous to said election, and on policy then existing, shall have one vote; and for every additional twenty-five dollars so paid, one other vote. In other respects, the management of said mutual companies shall be as hereinbefore provided in reference to joint stock insurance companies: *Provided however*, That no company, incorporated with the powers before enumerated under the second class, shall undertake or execute trusts of any description, until at least one hundred thousand dollars as capital stock shall have been first subscribed and paid in.

Votes in mutual companies.

SECTION 12. That the directors of the said companies shall, on the first Monday of January and July in each and every year, declare dividends of profits, as to them shall appear advisable, first deducting all expenses and losses; but the moneys received for premiums upon risks, which remain undetermined and outstanding at the time of declaring such dividend, shall not then be considered as part of the profits, nor divided as such, where said companies are conducted upon the joint stock principle; said dividends shall be paid to the respective stockholders, or to the agents duly empowered to receive them; and when organized upon the mutual principle exclusively, each member shall be entitled to such a proportion of the said surplus, as the cash premium paid by such members respectively may bear to the aggregate surplus so declared; and for the proportionate share of each member so ascertained, a certificate shall be issued, declaring him or them to be entitled to such a portion of the accumulated capital of the company; said certificate to be construed and governed as hereinafter mentioned; but no certificate shall be issued for a less sum than twenty-five dollars, nor for any fractional part of five dollars, and shall, at the discretion of the directors bear, and be paid interest at a rate not exceeding six per centum per annum. When said companies shall be organized upon the stock and mutual principle jointly, the directors, after ascertaining the surplus as above mentioned, shall first set aside out of the same, six per cent. on the actual value of the capital stock of said company; which valuation shall be estimated by the said directors for that purpose, and the balance shall be apportioned among the insured members and the stockholders; and each insured member shall receive certificates as aforesaid, for such a proportion of the said surplus as the premiums paid by him on determined risks may bear to the entire collective amount of stock valued as aforesaid, and premiums earned; and each stockholder shall receive such a proportion of the same, as the stock so valued and held by him may bear to the entire collective amount of said stock and premiums earned.

Dividends.

SECTION 13. That no dividend shall be declared, certificate issued, or interest paid to either stock or certificate holders, when the capital stock shall have been reduced, by losses or ex-

When dividends shall not be declared.

Penalty for making illegal dividends.

penses, until the same shall have been restored. And if the directors shall knowingly make a dividend or dividends contrary to the true intent and meaning of the prohibition herein contained, such of them as shall consent thereto, shall in their individual capacity be accountable for, and pay over to the said company for the use thereof, as much as they may divide and pay without authority; and each director in office at the time of making such dividend so prohibited, shall be deemed as consenting thereto, unless he or they shall, at the time of making and declaring the same, be absent, or if present, shall immediately enter his or their protest on the minutes of the board; no interest shall be paid on certificates of surplus profit until the interest on the stock of said company shall first be provided for.

Payment of dividends.

SECTION 14. That within thirty days after the yearly balance of the affairs of said company shall be struck, the directors shall cause to be paid, in cash, to the stockholders of any such joint stock insurance company, the amount of dividends they may respectively be entitled to; and where any such company may be chartered upon the stock and mutual principle combined, they shall cause to be paid to the stockholders, in cash, not exceeding six per centum on their stock respectively; and shall issue the company's certificates to such insured members and stockholders respectively, agreeably to the provisions of the twelfth section; in which case, and where said company shall be chartered on the mutual principle exclusively, the certificates issued to the members as aforesaid shall not be paid until the net profits or surplus shall exceed the sum of two hundred and fifty thousand dollars, when the said excess may be applied for the redemption of the said certificates, and any arrears of interest that may have been allowed thereon.

Annual statement to be published.

SECTION 15. That it shall be the duty of every company incorporated under this act, to publish within thirty days after the first Monday of January, in each year, at least three times a week for the space of two weeks, in a daily newspaper published in the county in which they do business, if a daily newspaper be printed in said county; and in such counties where no daily newspaper is published, once a week for three weeks, a statement showing particularly, in tabular form, the amount of their capital authorized and paid in; the amount, nature, and actual value of their assets; the annual amount of their premiums, and the amount derived from interest on loans or investments during the said period; the amount of annual expenses of said company; the amount of their losses during said period, and the amount of their risks, insurances and annuities, and also of their debts and liabilities.

Tax to state to be paid semi-annually.

SECTION 16. That all companies incorporated under this act, shall semi-annually account for, and pay into the treasury of this commonwealth, the tax on capital stock and dividends, as provided by the thirty-third section of an act to reduce the state debt and incorporate the Pennsylvania canal and railroad company, passed the twenty-ninth day of April, Anno Domini one thousand eight hundred and forty-four, or as may be from time to time provided by law.

Embezzlement, how punished.

SECTION 17. That if any director or officer of any of said companies shall fraudulently embezzle or appropriate to his own use, or to the use of any other person or persons, any money or other property belonging to the said institution, or left with, or held

by the said company, in trust as a special deposit or otherwise, he or they, on conviction thereof, shall be fined in a sum not less than the amount so appropriated or embezzled, and sentenced to undergo an imprisonment in the penitentiary, in separate and solitary confinement at labor, for any term not exceeding five years, at the discretion of the court: *Provided*, That this shall not prevent any person aggrieved from pursuing his, her, or their civil remedy against such person or persons.

SECTION 18. That any violation of the provisions of their charter by any of the companies aforesaid, shall be held and deemed a forfeiture of the corporate privileges therein conferred; and said forfeiture shall be declared upon *quo warranto*, or otherwise, according to law, at the relation of the commonwealth or of any private citizen. Forfeiture of charter.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 237.

AN ACT

Relative to the Catawissa, Williamsport and Erie Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for the purpose of enabling the Catawissa, Williamsport and Erie railroad company to settle and pay off their floating debt, and to purchase such additional machinery as their business may require, it shall be lawful for the said company, at any time within five years after the passage of this act, with the consent of the majority in value of the stockholders first given at a meeting called for that purpose, to mortgage or transfer in trust, at such rate of interest and upon such terms and conditions as they may deem expedient, as security for any money that may be lent or advanced to them, or any debts that they may now or hereafter owe, the locomotives, tenders, cars or other rolling stock that may now or hereafter belong to the said company; and the said mortgage or transfer shall be a good and valid security, without delivery of the possession of the things so mortgaged or transferred, till the re-payment of the said mortgage or the debt for which the same is transferred. The lien thereof on such property, and all of it, shall not be in any way discharged or impaired or affected by any subsequent mortgage or sale by an execution creditor, or otherwise, and as May mortgage rolling stock.
Need not deliver possession.

Certain debts to
be paid off.

Mortgage prop-
erty to be marked.

Must be acknow-
ledged and recor-
ded.

against all persons except mortgagees, vendees, or execution creditors before the date of such mortgage, the same shall be held good and valid, and the property so authorized to be mortgaged or transferred may remain and continue to be used on the road of the company, or on any other road, subject to such mortgage or transfer, without in any wise impairing the force or validity thereof: *Provided*, That all debts against the said company for ties, wood, or other material furnished, or damages ascertained, or labor performed, along the line of the road of the said company, shall be paid in full, or satisfactorily secured to the creditor, up to the date of the creation of the first mortgage or trust under this act; otherwise the said mortgage or trust shall have no validity as against the said claims of the said creditors; and that it shall be the duty of the trustee to see that the conditions have been complied with before accepting the trust, and to endorse on each bond so issued under this mortgage the fact of such fulfilment: *Provided also*, That every such mortgage or transfer shall be signed by the president, and sealed with the seal of the company, and acknowledged and recorded as hereinafter directed: *And provided further*, That every locomotive, tender, car, and each separate piece of such rolling stock, shall when mortgaged or transferred as aforesaid, have distinctly painted thereon in some conspicuous place and in letters not less than two inches in length, the word "mortgaged," together with the date of the instrument under which the same is so mortgaged or transferred.

SECTION 2. That every such mortgage or transfer as aforesaid, shall be first duly acknowledged or proved in manner as directed by the existing laws of this commonwealth providing for the acknowledgment of mortgages of real property made by corporations, and recorded within twenty days after the execution thereof, in the office of the recorder of deeds of each county wherein the railroad of the said company may pass; and a copy of the record of every such mortgage or transfer, certified by such recorder, shall be held to be as good evidence, and as valid and effectual in law, as the original mortgage or transfer.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 238.

AN ACT

To repeal an act relative to the Coroners of Berks and Lancaster counties,
as far as the same relates to Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to the coroners of Berks and Lancaster counties," approved the eighth day of February, one thousand eight hundred and forty-eight, be and the same is hereby repealed, as far as the said act relates to Berks county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 239.

AN ACT

Relative to Service of Process.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where any person or persons, not being residents of this commonwealth, shall engage in business in any county within this commonwealth, and not being in the county at the time of the issuing of any writ or process against such person or persons, it shall be lawful for the officer charged with the service thereof, to serve any writ of summons, or any other mesne process, in like manner as summons are served upon the agent or clerk of such defendant or defendants at the usual place of business, or residence of such agent or clerk, with the same effect as if served upon the principal or principals personally: *Provided,* That before final judgment is entered in any case under this act, actual notice in writing shall be given to the party defendant of such action, and the nature thereof; proof of which notice shall be made by the production of a copy of such notice, and the oath or affirmation of the plaintiff, or other person, to the service

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thereof, to the magistrate or court before which such action may be pending.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 240.

AN ACT

To incorporate the Girard Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Simon Arnold, William Atwater, L. Abbot, William Weaver, John Rosser and Jesse M'Clure, and their successors, are hereby incorporated into a body politic and corporate, by the name, style and title of "The Girard railroad company;" and under said name, style and title, shall have all the rights, powers, privileges and franchises, and be subject to all the restrictions and provisions contained in the act of assembly, passed the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," save and except in so far as the same is altered and supplied by this present act.

SECTION 2. That the persons hereinbefore named shall constitute the first directors of the said railroad company, and shall continue in office until the second Monday in January, one thousand eight hundred and fifty-seven, and until their successors be elected.

SECTION 3. That the capital stock of the said company shall consist of two millions of dollars, which shall be divided into shares of fifty dollars each.

SECTION 4. That the said company shall have power and authority to purchase that part of the Philadelphia and Sunbury railroad which lies east of the summit of the Locust mountain, and re-lay the road already graded, and extend and connect the same with the Philadelphia and Sunbury railroad on the west, and with the Mill Creek or Mount Carbon road on the east; and shall have authority to issue stock of the said company in payment of the same, to the individual owners of said road; and also, to receive subscriptions from individuals to the capital stock, in such manner as the directors shall esteem best for the interests of the said railroad company.

SECTION 5. That the corporation constituted by this act, or the board of directors of the same, shall be authorized to borrow

such sums of money not exceeding in all one million of dollars, at any rate of interest not exceeding twelve per cent. per annum, which may be deemed expedient; and to make the principal of the said loan or loans convertible, at the option of the holders, into stock of the company, on such terms as may be agreed upon, to make the interest and principal of said loan or loans, payable at such time or times as may be deemed advisable; and for the security of the said loan or loans, execute a deed of trust or mortgage on the railroad, and all other real property of the company in possession, or to be acquired; and all corporate rights and privileges in the event of a sale under such a deed of trust or mortgage, all of the property of the company conveyed in the said deed of trust or mortgage, and the corporate rights and privileges of the company, shall pass to the purchaser or purchasers free of all incumbrance on account of any lien or liability subsequent to the execution of said deed of trust or mortgage, and be vested in him or them: *Provided*, That said deed of trust or mortgage be put on record, as other deeds are recorded, within thirty days after the execution thereof.

SECTION 6. That the first section of the act of second April, one thousand eight hundred and fifty, entitled "An Act to amend an act supplementary to an act, entitled 'An Act to incorporate the Danville and Pottsville railroad company,'" shall be so construed as to authorize the Philadelphia and Sunbury railroad company to sell and convey, in fee simple, that portion of the said railroad, and other real property of the said company, as lies east of the summit of the Locust mountain; and it is hereby declared that the power to sell, shall embrace such portion of the said road and property.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 241.

AN ACT

Relative to the North Pennsylvania Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the president and directors of the North Pennsylvania coal company to convene a special meeting of the stockholders of said company, at such time and place in the city of Philadelphia as they may designate, for the purpose of considering and adopting measures for the sale and transfer of

the estates and stocks of said company, and for the liquidation of its affairs; ten days' notice of said meeting to be given by publication in two newspapers in the city of Philadelphia, and by letter addressed to each stockholder at his last known place of residence.

Agents to be appointed.

SECTION 2. That it shall be lawful for the majority of said stockholders, convened as aforesaid, to appoint one or more suitable agents, to sell, convey, assign and transfer any and all of the stocks and estates, real, personal and mixed, held by said company, either by private or public sale, at such prices, and on such conditions, as the said majority of stockholders may prescribe; to receive the proceeds thereof to pay the debts of said company; and to divide the assets which may remain after payment of debts and expenses, among all the stockholders, in such proportions as they shall be entitled to receive the same; and generally to liquidate and close the affairs of said company, in such manner as shall be most beneficial to the stockholders.

Authority to be given to agents.

SECTION 3. That to enable the said agent or agents to convey valid titles to the real estate of said company, a power of attorney shall be executed to him or them, by the president of said company, under the corporate seal thereof, giving full power to act in the premises; and all contracts and deeds made in pursuance thereof, shall be effectual in law for passing and vesting the title of said company, as fully and absolutely as they now hold the same.

Agents to give bond.

SECTION 4. That before the agent or agents hereinbefore provided for, shall enter upon the duties of their appointment, he or they shall execute a bond or bonds to said company, in such amount, and with such sureties, as the president and directors shall approve, conditioned for the faithful execution of the trust, and the payment over of all moneys according to law. Nothing herein contained shall impair the effect of any lien now existing, or hereafter to be entered against the property of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 242.

AN ACT

To change the Venue in a certain case from Fulton to Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That a certain issue joined in the court of common pleas of Fulton*

county, number seventeen, of October term eighteen hundred and fifty-five, in which William Lyon, N. W. Sample and James Allison, are plaintiffs, and David Agnew and James M. Brown, are defendants, be and the same is hereby removed to the court of common pleas of Franklin county for trial, by a jury or juries of Franklin county aforesaid, together with the record of the said cause, and all the papers relating thereto; and that the said court is hereby authorized to proceed to trial, verdict, judgment and execution, in the same manner, and with the same force and effect, as the said court of common pleas of Fulton county might or could do.

Certain cause removed to Franklin county.

SECTION 2. That final judgment of said issue shall be subject to writs of error, as in other cases; and in case of the removal of the same, and a *venire facias de novo* awarded, the same shall be again tried in Franklin county as aforesaid.

Subject to writs of error, &c

SECTION 3. That upon the final disposition of said case by the court of common pleas of Franklin county, the prothonotary thereof shall certify, and send the record thereof, together with all the papers relating thereto, to the prothonotary of the court of common pleas of Fulton county, who shall enter the same of record, and certify the same to the register of wills of said county, to the end that the same may be proceeded in according to law.

Record to be sent to Fulton county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 243.

A FURTHER SUPPLEMENT

To the act of twenty-second of February, one thousand eight hundred and twenty-one, entitled "An Act to alter and amend the fee bill."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all witnesses who are sent for and attend before any committee of the Senate or of the House of Representatives, or before any joint committee of the two houses, shall receive the same fees and mileage as witnesses in cases of contested elections, under the provisions of the one hundred and fifty-second section of the act of the second of July, one thousand eight hundred and thirty-nine, entitled "An act relating to the elections of this commonwealth."

Pay of witnesses before legislature

SECTION 2. That the seargent-at-arms, or other persons serving subpoenas or other process on such witnesses, or upon witnesses

Sergeant-at-arms

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in cases of contested elections, shall receive fifty cents for serving the same on each witness, and six cents per mile circular for every mile necessarily traveled in serving the same.

Clerk.

SECTION 3. That the clerk or secretary to any of said committees, shall receive three dollars per day for every day necessarily employed in the discharge of his appropriate duties.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 244.

AN ACT

Relative to the Road Laws of Tremont township, in the county of Schuylkill.

WHEREAS, Under existing road laws, there is no provision made for the election of a township treasurer in the township of Tremont, in the county of Schuylkill; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That immediately after the passage of this act, the auditors of the township of Tremont shall appoint a township treasurer, not of their own number, who shall enter into good and sufficient security for the faithful performance of the duty of his office; and that annually hereafter the qualified voters of said township, at their township elections, shall elect a township treasurer, who shall enter into good and sufficient security for the faithful performance of the duty of his office, to be approved by the auditors of said township; and the auditors of said township may allow said treasurer such compensation as, in their opinion, may be just and reasonable.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 245.

A SUPPLEMENT

To an act relating to the borough of Wilkesbarre, approved the fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Luzerne may locate the new court house about to be erected in the borough of Wilkesbarre, in or near the centre of the public square of said borough, as they may consider proper and desirable.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 246.

AN ACT

Relative to the Barryville and Shohola Suspension Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Barryville and Shohola Suspension bridge company, incorporated under the laws of the state of New York, is hereby authorized to erect a toll house for the collection of tolls at their bridge in Shohola township, in the county of Pike, and to collect and receive such rates of toll as the board of directors of said company may deem proper: *Provided,* That said rates of toll shall at no time exceed the following charges, viz: for every vehicle or sleigh drawn by two horses twenty cents; for every sleigh or vehicle drawn by one horse ten cents; for every horse with rider six cents; for every led horse three cents; for every foot passenger two cents; for every man and barrow or hand wagon three cents; for every head of cattle two cents; and for every head of sheep, hogs and calves one half cent.

May erect toll house in Penn'a.

Tolls.

Fines.

SECTION 2. That it shall be unlawful for any person or persons to drive over said bridge faster than a walk, and for every such offence such person or persons so offending shall be liable to a fine of five dollars, to be collected as debts of similar kind are now by law collectable, before any justice of the peace of Pike county; one half of which sum shall go to the informer, and the other half to the poor of Shohola township.

Injuries to bridge

SECTION 3. That any person or persons wilfully and maliciously injuring or destroying any portion of the towers, cables, or superstructure of said bridge, shall upon conviction thereof be liable to a fine of not less than fifty dollars, and imprisonment in the county jail for a period not exceeding sixty days.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 247.

AN ACT

To incorporate the Philadelphia Musical, Saving and Loan Society.

Corporators.

Style.

Privileges.

Objects.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Leopold Meignen, C. Herring, Casper Duhring, Oscar Knipe, William A. Rolin, Herman Goldsmith, and their associates, shall be and they are hereby declared to be a body politic and corporate, under the name and style of the Philadelphia musical, saving and loan society, to have perpetual succession, to sue and be sued, plead and be impleaded, in all courts of law and equity; to take, hold, possess and enjoy lands, tenements, hereditaments, goods, chattels, rights and credits; to have and use a common seal, and change and renew the same at pleasure; and generally to have all the other incidents of a corporation: *Provided,* That the clear yearly income of the real estate of said corporation shall not exceed the sum of three thousand dollars.

SECTION 2. The objects of the said corporation shall be the promotion of the science of music, by furnishing to each member of said corporation who shall contribute to its musical savings fund, for each and every share of stock held by him or her, a first class piano-forte, furnished with all the modern improvements, at a reduced price, and on advantageous terms.

SECTION 3. That the said corporation shall have full power *By-laws* and authority to make all needful rules and by-laws for the government of said corporation, and to alter and amend the same as they may deem expedient: *Provided*, That no rule or by-law as aforesaid shall be repugnant to or inconsistent with the laws of the United States or of this commonwealth.

SECTION 4. That the government of said corporation, and the *Directors* management and direction of its affairs and property, shall be vested in a board of six directors, who shall be elected annually, at such times and in such manner as the constitution and rules of said corporation may direct; at the first meeting of said board of directors after their election in every year, they shall elect a president, vice president, secretary and treasurer; the said persons hereinbefore named are hereby constituted the said board of directors, and shall continue to hold their offices until the first election after the issuing of this charter, in accordance with the provisions of the constitution.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

No. 248.

A N A C T

Relative to the Assessment of Damages done Washington and Pascal Yearsley, their heirs or assigns.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for the purpose of assessing the damage done the property of Washington and Pascal Yearsley, situate in Westtown township, Chester county, by the construction of the West Chester and Wilmington plank road, the said Washington and Pascal Yearsley shall select three disinterested freeholders, and the said West Chester and Wilmington plank road company shall select three, and the same six disinterested freeholders thus chosen, shall select a seventh, or if they cannot agree upon a seventh, he shall be appointed by the commissioners of Chester county; and the seven thus selected shall, after a hearing of both parties, assess the damages done the property as aforesaid; and the assessment thus made shall be final and conclusive, and binding on both parties, and shall be entered of record in the

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court of quarter sessions of said county, and remain a lien on the property and franchise of said company until paid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 249.

AN ACT

Authorizing the Payment of the Claim of Willard Jackson, of Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized to pay Willard Jackson, of Wyoming county, the sum of one thousand eight hundred and thirteen dollars and sixty-five cents, for work done on section number one hundred and fifty-five, Tunkhannock line, North Branch canal, under his second contract, as ascertained by the report of the auditor general.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 250.

AN ACT

To incorporate the Pennsylvania College of Dental Surgery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry C. Carey, William Elder, Washington L. Atlee, Elisha

Townsend, George Truman, Benjamin Malone, Alfred Stille, Corporators. Daniel Neal, Thomas Wood, William M. Fouche, John R. M'Curdy and T. S. Arthur, and their associates, shall be a body corporate with perpetual succession, under the name of the Pennsylvania College of dental surgery, to be located in the city of Philadelphia, and as such may sue and be sued, have a common seal, and purchase and convey real and personal estate, not exceeding in annual income two thousand dollars, beyond the building to be occupied by said college: *Provided*, That said corporators shall not, at any time, be more than fifteen, nor less than ten, without the vacancies being filled. Style.

SECTION 2. That the said corporators shall have power to make by-laws for their own government, and that of the faculty, not contrary to the laws of this state or of the United States; to establish a college for lectureships, and to confer the degree of "Doctor of Dental Surgery" upon persons duly qualified to receive the same. By-laws. Confer degrees.

SECTION 3. That the said corporators shall have power to elect five or more professors, skilful in dentistry, to constitute the faculty of said college, who shall deliver the lectures and control the course of instruction therein; and no degree shall be conferred, whether honorary or, upon the qualified students of the college, without the written request of said faculty. Faculty.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 251.

AN ACT

To incorporate the Pottstown Gas Company, in the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James Rittenhouse, J. D. Steele, J. S. Yost, Henry Potts, George Richards, John Thompson, W. D. Evans, Jonas Smith, Clement Brooke, J. C. Smith, Abraham Guldin, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Pottstown gas company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and Corporators. Style. Privileges.

judicatories whatsoever; and also contracting and being contracted with, relative to the business and objects of the corporation as hereinafter declared; and they and their successors as aforesaid shall have power to lease or purchase in fee simple such real estate as may be necessary for carrying on the business of said corporation.

Powers

SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Pottstown, and such individuals and corporations as may desire a supply of the same; and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials, with the right to enter upon any public street, lane, or highway, for the purpose of laying down pipes necessary for conducting said gas, and to repair, alter and inspect the same, doing as little damage as possible to the streets, lanes and alleys, and repairing the injuries that may be done to the same with as little delay as possible, and securing the citizens from accident and danger whilst so laying down and repairing their pipe.

Capital stock.

SECTION 3. That the capital stock of said company shall be fifteen thousand dollars, to be divided into three hundred shares of fifty dollars each, with the right to increase said capital stock from time to time, as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed fifty thousand dollars: *And provided further*, That said company may in lieu of increasing their capital stock be authorized, if the board of directors shall so determine, to borrow money to an amount not exceeding the said capital stock, and to make and execute a mortgage or mortgages, pledge or pledges, of the property and effects of said corporation for the security of the re-payment of the amount borrowed, or give such other evidence of indebtedness as may be agreed upon: *Provided*, That no increase of said capital stock, in manner aforesaid, shall be permitted, unless the stockholders holding a majority of the stock already subscribed, shall first give their written consent thereto.

Officers.

SECTION 4. That the management and control of the Pottstown gas company, shall be vested in the persons named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their numbers a president, treasurer and secretary, and shall meet from time to time and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company; and that the stockholders of said company shall meet annually on the first Monday in May, at such place as they shall determine upon, and elect nine directors for said company, all of whom shall be stockholders; and shall select from their numbers as aforesaid a president, secretary and treasurer for said company; the notice of such election for directors as aforesaid, and the manner of conducting the same, shall be provided for in the by-laws of said company; and the number of votes that each stockholder shall be entitled to at such election, shall be according to the number of shares owned by such stockholder, to wit: for each share not exceeding two shares, one vote; for every two shares above two and not exceeding ten shares, one

Election.

Votes.

vote; for every five shares above ten shares, one vote; and no share shall confer a right of voting which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears absolutely and bona fide in his or her own right, or in the right of his wife, or for his or her sole use or benefit as an executor, administrator, trustee or guardian, or in the right and for the use of some copartnership, corporation or society of which he or she may be a member.

SECTION 5. That said company shall procure certificates or evidence of stock for all the shares of the said company, and shall deliver one such certificate, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificates of stock shall be transferable at his or her pleasure, in person or by attorney duly authorized in the presence of the president or secretary, in a book to be kept by the corporation for that purpose.

Certificates of stock.

SECTION 6. That the board of directors of said company shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, and in the absence of the president shall choose a chairman, and shall keep minutes of their transactions; and a quorum being formed, they shall have full power and authority to purchase lands for the gas works, and erect the same; to appoint all officers, and employ such assistants as shall be necessary to carry out the objects of this corporation; to direct what orders shall be drawn upon the treasurer, which shall be signed by the president, and countersigned by the secretary; to fix all salaries and rates for the use of the gas; to enact by-laws for the proper regulation and government of said corporation; and generally to do such matters, acts and things as by this act, and the by-laws of such corporation they are authorized to do.

Meetings of directors.

SECTION 7. That the board of directors of said company shall declare dividends of so much of the net profits of the company, as shall appear to them advisable, on the first Monday of June and December of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Dividends.

SECTION 8. That if any person or persons shall open a communication into the gas main or other gas pipe of said company, without authority from the street inspector, or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector, or authorized agent of said company, for repairs, or any other cause or purpose, or shall put up any pipes or burners, in addition to the pipes originally put up and inspected, and introduce into them the gas without authority aforesaid, he, she or they shall be subject to a penalty of not less than five, nor more than fifty dollars, to be recovered before any justice of the peace as debts of like amount are by law recoverable; one-half to be paid to the informer, and the other half to the said company.

Penalty for illegally using gas.

SECTION 9. That if any person shall wilfully or maliciously do, or cause to be done any acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same shall be stopped, obstructed, injured or destroyed,

Injuries to works.

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the person or persons so offending, shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions; and on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not, in any way, impair the right of said company to a full compensation in damages by civil suit.

Reservation.

SECTION 10. That the legislature may at any time alter, amend or repeal the privileges hereby granted: *Provided however*, That no injustice be done to the corporators.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 252.

AN ACT

Relative to the Feasterville and Bridgetown Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the supplement to an act approved the ninth day of April, one thousand eight hundred and fifty-five, in relation to the Feasterville and Bridgetown turnpike company, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 253.

A N A C T

To incorporate the Locust Grove Episcopal Female Seminary.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John H. Shoenberger, William F. Johnston, George R. White, Theodore B. Lyman, Oliver W. Barnes, John Anderson, George S. Selden, John Brown, Thomas Scott, Hopewell Hepburn, Isaac M. Pennock, George E. Arnold, and those who may hereafter subscribe to the capital stock of this corporation, are hereby created and erected into a body politic and corporate in law, under the name, style and title of the "Locust Grove Episcopal female seminary," to have and possess all the rights, powers and immunities of a corporation; to sue and be sued in law or equity; to make and use a common seal; to have and hold real and personal estate; to sell and mortgage the same, and other estates; to buy and to erect such buildings, and to do such things as may be necessary in carrying the purposes of this corporation into effect.

Corporators.

Style.

Privileges.

SECTION 2. That the capital stock shall consist of one thousand shares of fifty dollars each; that as soon as two hundred shares are subscribed for, this act shall take effect, and the corporation it creates, be deemed and held as complete: That the Reverend Theodore B. Lyman, John H. Shoenberger, William F. Johnston, George R. White, Oliver W. Barnes and George S. Selden, are hereby constituted the first board of trustees, in whom shall be invested, until others are chosen, the power and authority to conduct and manage the affairs of this corporation, and to make all purchases and contracts necessary and essential to the establishment of the seminary aforesaid.

Capital.

First trustees.

SECTION 3. That each share of stock shall entitle the holder thereof to a vote; and that the election for president and trustees shall be held annually on Easter Monday, at such place and hours as the trustees shall by resolution appoint, of which five days' notice shall be given to the stockholders; that in case of failure to elect on that day, the corporation shall not thereby be dissolved, but the old board shall continue in office until others are elected; that at said election one president and five trustees, who shall be members of the Protestant Episcopal church, of the Diocese of Pennsylvania, shall be chosen by ballot from among the stockholders; one or more of the then existing board of trustees to hold said election: *Provided,* That the first election for officers under this act, shall be held on the first Monday of May next.

Elections and votes.

SECTION 4. That the Bishop of the Diocese of Pennsylvania shall be ex-officio a member of the board of trustees.

Bishop a trustee

SECTION 5. That the purposes of said corporation shall be to found and establish a college or seminary for female education.

Objects.

SECTION 6. That the president and trustees shall have power to make by-laws, to employ teachers and professors, to regulate

By-laws.

the modes of instruction, and to confer degrees, under the seal of the corporation, on pupils for eminent merit.

Vacancies.

SECTION 7. That the board of trustees shall have power to fill vacancies: That while the estates are held by said corporation, and devoted to educational objects, the same shall be exempt from taxation, except for state purposes: That the annual net revenue of said corporation shall never exceed six thousand dollars.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 254.

AN ACT

Relating to Agricultural, Horticultural, and Floral Exhibitions.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fourth section of an act passed the sixteenth day of March, one thousand eight hundred and forty-seven, to restrain disorderly conduct at religious meetings, be and the same are hereby extended to agricultural, horticultural, and floral exhibitions.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 255.

A SUPPLEMENT

To an act to incorporate the Saving Fund Society of Germantown and its vicinity.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the second section of an act, entitled "An act to incorporate the Saving Fund Society of Germantown and its vicinity," approved the sixth day of April, Anno Domini one thousand eight hundred and fifty-four, as provides that no appointment or removal shall take place when a less number than sixteen managers are present, be and the same is hereby repealed, and that ten managers shall be a sufficient number for the said purposes.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 256.

A SUPPLEMENT

To an act to authorize the Governor to incorporate the Pittsburg Bridge Company, approved April sixth, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the seventh section of said act be so altered as to authorize said company to so erect their bridge as that the span which will be over the usual steamboat channel shall be three hundred feet in length, and not less than ninety feet in height above low water mark; and that for the purpose of accommodating steamboats, in extraordinary high stages of water, the said company shall, in some suitable and proper place in said bridge, construct a draw in such proper and convenient manner and on such plan*

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as shall with convenience and facility accommodate steam-boats, in such extraordinary high stages of water.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 157.

AN ACT

For the relief of Mary M. Morrison.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay Mary M. Morrison, widow of John Morrison, a soldier of the Indian war, or to her order, a gratuity of forty dollars and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six..*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 258.

AN ACT

For the payment of the claim of William Shultz.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the state treasurer be and he is hereby directed to pay to William Shultz, of Philadelphia, the sum of sixteen hundred and twenty dollars, being the amount of damages sustained by him from the commonwealth using his spark arrester on the state roads, and which amount has been assessed as due him by the board of canal commissioners by their report of April twenty-fourth, one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 259.

A FURTHER SUPPLEMENT

To an act to incorporate the Lewisburg, Centre and Spruce Creek Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of constructing and equipping the said Lewisburg, Centre and Spruce Creek railroad, the said company, when duly organized, are hereby authorized to issue bonds, not exceeding five hundred thousand dollars, in sums not less than one hundred dollars, at such rates of interest, and on such terms as may be determined by the board of directors of said company, and to secure the same by one or more mortgages on said railroad.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

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No. 260.

AN ACT

To authorize the Board of Canal Commissioners to examine the claim of Casper Dull, for damages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and they are hereby authorized and directed to examine the claim of Casper Dull, for damage upon the Lower Juniata division of the Pennsylvania canal, and report the same to the legislature.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 621.

AN ACT

To change the name of the York County Artillery, of York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the volunteer company known as the York County Artillery, in the county of York, be known and designated as the Houston Artillery, with all the rights, privileges and immunities enjoyed by it under its original title.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 262.

A N A C T

To incorporate the Philadelphia and Providence Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. B. Bloodgood, Henry L. Gaw, Richard T. Elkinton, E. J. Burrows, and their associates and successors, be and they are hereby incorporated into a body corporate and politic, by the name, style and title of the Philadelphia and Providence transportation company, and by the said name, style and title the company shall have perpetual succession, and be able and capable in law to sue and to be sued, plead and be impleaded, to have a common seal, and to receive, possess, employ and dispose of ships and vessels with their appurtenances, and the steam engines and other machinery necessary and proper for the propulsion and navigation thereof by the use of steam, and to hold all and use the necessary easements for loading and unloading, receiving and delivering merchandize transported or to be transported in said ships or vessels so to be customarily navigated by them; and further to have all such rights and powers as are or may be incident to a corporation having for its object the transportation of goods, wares, merchandize, and the transportation of mails and passengers by the means of steam navigation to and from the city of Philadelphia: *Provided*, That nothing herein contained shall be construed to confer on the said corporation any banking or mining privileges, or hold real estate, excepting such as may be deemed necessary to accommodate the company's vessels, or such as may be conveyed to said corporation for or in the payment of debt.

Corporators.

Style.

Privileges.

SECTION 2. That the persons named in the first section of this bill shall be directors of the said corporation, until their successors are chosen by the stockholders, with power to choose from amongst their number a president. An election for directors shall be held on the first Wednesday of May, Anno Domini one thousand eight hundred and fifty-six, and annually thereafter; of which elections public notice shall be given of the time and place, but no failure to elect directors at the time named shall work as a nonuser, but those in office shall continue therein until others are duly chosen.

Directors.

Annual election.

SECTION 3. That the capital stock of said company shall be divided into shares of one hundred dollars each, and shall consist of one thousand shares, with the privilege of increasing the same to two thousand; and the persons holding said stock shall be entitled to one vote for each share of stock held by them, and may vote either in person or by proxy. The shares of the stock aforesaid may be transferred by the owner or owners thereof, their executors or administrators, or attorney duly and lawfully authorized, in a book to be provided for that purpose, and in such manner as the directors shall direct.

Capital stock.

Votes.

Transfers.

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Dividends:

SECTION 4. That dividends of the profits of the said Philadelphia and Providence transportation company, as shall appear advisable to the directors, shall be declared and paid to the stockholders at least once in each year, but they shall in no case exceed the amount of the net profits actually made and acquired after deducting all losses and expenses; and if the directors shall declare and pay any dividend by which the capital stock of the company shall be impaired, they shall be jointly and severally liable for so much of the capital stock as may be thus impaired and divided, which shall be recoverable by any party aggrieved or injured, in an action recoverable for debt as in other cases.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 263.

SUPPLEMENT

To the act incorporating the Emlington and Shippenville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for commencing the Emlington and Shippenville turnpike road, be and the same is hereby extended for the period of three years from the passage of this act, and the time for the completion of the same, to the additional term of three years.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 264

A FURTHER SUPPLEMENT

To an act authorizing the Governor to incorporate the Millers Run and Cross Creek Valley Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for completing at least nine miles of the Millers Run and Cross Creek Valley plank road, is hereby extended to the first day of November, Anno Domini one thousand eight hundred and fifty-eight.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 265.

AN ACT

Relative to the Harrisburg, Portsmouth, Mount Joy and Lancaster Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company be and they are hereby authorized to extend their railroad, with one or more tracks, from the borough of Harrisburg to a point at or near the town of Dauphin, in the county of Dauphin, with the right to connect with the Northern Central railway, and with the Dauphin and Susquehanna railroad, or with either of them, and with any other railroad hereafter to be constructed, whose track shall not be at a greater distance than one mile from the said town of Dauphin; and that for the purpose of such extension, as well as for using and maintaining the same, the said Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company shall have and enjoy all the rights and privileges, and be subject to all the restrictions and liabilities imposed upon the said company under their act of incorporation, and the several supplements thereto.

Authorized to extend road.

And make connections.

Subject to.

Authorized to
raise money.

Tolls regulated.

Commence and
complete.

Subject to.

SECTION 2. That for the purpose of constructing the said extension, the directors of the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company are hereby authorized to sell or dispose of the unsold bonds and stock of said company: *Provided*, That the said company shall not discriminate for or against any other road connecting with theirs in their charges for passengers and freight, otherwise than the said company may now or hereafter discriminate in said charges upon the said Harrisburg, Portsmouth, Mount Joy and Lancaster railroad: *And provided further*, That the said company shall commence the said extension within one year, and complete the same within three years from the passage of this act: *Provided*, That the said company, as to the railroad hereby authorized to be constructed, shall be subject to all the rights, benefits and restrictions contained in the last proviso of the eighteenth section of an act, entitled "An Act regulating railroads," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 236.

AN ACT

To extend the Limits of the borough of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the burgess and town council of the borough of Mercer, in Mercer county, are hereby authorized to extend the eastern boundary line of the said borough the distance of two hundred and fifty feet, to a line then to be established parallel with the said eastern line as now established throughout its entire length.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 287.

AN ACT

for the relief of Rachel Posey, widow of a soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and directed to pay to Rachel Posey, of Chester county, widow of Micajah Posey, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-six, and payable half-yearly thereafter on the first days of January and July.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 288.

AN ACT

Authorizing the laying out of a State Road in Conyngham township, Columbia county, and in Union township, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles F. Mann, of Columbia county, John Eisenhower, of Schuylkill county, and George W. West, of Montour county, Commissioners be and are hereby appointed commissioners to view, lay out and mark a state road, beginning at a convenient point on a public road or highway called the old Cattawissa and Reading road, Route of road and thence by the nearest and best route through the township of Union, in Schuylkill county, to intersect a public road leading from Cattawissa to Ashland, at or near the Locust Mountain coal and iron company's improvement, in Conyngham township, in Columbia county.

SECTION 2. *That it shall be the duty of the said commissioners, or a majority of them, after being sworn or affirmed before some judge or justice of the peace to perform the duties* Duties.

Pay enjoined by this act with fidelity, carefully to view the ground over which said road is to pass, and lay out the same of any width not exceeding forty feet, adopting as far as convenient and practicable, any road or part of a road now in use, and they shall distinctly mark the road so laid out by them; and the said commissioners shall receive for their services the sum of two dollars a day each; and if either of said commissioners shall act as surveyor, he shall receive the additional sum of one dollar per day; and said commissioners may employ two chain carriers and one axeman, at a sum not exceeding one dollar per day each.

Draft. SECTION 3. That the said commissioners shall make out a full and accurate draft of the road so laid out by them, and file copies thereof in the courts of quarter sessions of the several counties through which the said road may pass, and from thenceforth the said road shall be held and deemed a public highway, and shall be opened and repaired as roads laid out by the order of the courts are opened and repaired.

Road to be opened SECTION 4. That the said road shall be laid out, and reports thereof filed, before the first day of November next; and if any of the said commissioners shall die, remove, refuse or be unable to act, his place may be filled by appointment of the court of quarter sessions of Columbia county.

Expenses, how paid. SECTION 5. That the compensation of the said commissioners, and the chain carriers and axeman employed by them, shall be paid by the several counties through which the said road may pass, in proportion to the extent of the road in each, and orders therefor shall be issued by the commissioners of each county upon the treasurers thereof in the usual manner.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 269.

A N A C T

Appointing commissioners to lay out and open a road through Hamlin township, in the county of M'Kean.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alonzo J. Mason, Charles J. Fox and Thomas Mathews, are hereby appointed commissioners for the purpose of laying out, opening and making a road, commencing in Hamlin township,

in the line between M'Kean and Warren counties, and thence westerly to a point which said commissioners may select, intersecting the road leading to Smethport: *Provided*, That the powers and authority hereby given to said commissioners shall continue for five years and no longer.

SECTION 2. That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of the county of M'Kean; and when so filed, said draft and the record thereof shall be legal evidence in all things relating to the same; and said road from thence is hereby declared to be a public road in the same manner as other roads laid out and opened by the proper township officers. Draft.

SECTION 3. That five mills of the road tax levied on unseated lands in the township of Hamlin, shall be paid to said commissioners for the purpose aforesaid, during the year one thousand eight hundred and fifty-six, and yearly thereafter; and in case the taxes aforesaid shall be deemed insufficient to lay out, open and make said road, said commissioners may levy and assess a tax on the unseated assessed property in said township for the year one thousand eight hundred and fifty-six, and annually thereafter for the term of five years, not exceeding five mills on the dollar in any one year, according to the valuation for county rates and levies; which tax shall be assessed and collected in the same manner as road commissioners in said county are authorized to do by law: *And provided*, That if said road or any part thereof shall pass through any portion of the northern tier of trails as denoted by the warrants on which they were surveyed in the township of Sergeant, then the unseated road tax assessed on the whole of said northern tier of trails shall be paid to said commissioners as aforesaid. Certain taxes to be applied to making said road.

SECTION 4. That any two of said commissioners shall be deemed a quorum, and sufficient to do any thing authorized to be done by this act; and in case of the death, resignation, or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of M'Kean county shall appoint a person or persons to supply the vacancy, who shall give a bond as required in the sixth section of this act. Quorum.
Vacancies.

SECTION 5. That said commissioners shall annually settle their accounts with the county auditor of the county of M'Kean, and shall be allowed a reasonable compensation not to exceed one dollar and fifty cents each per day for the time they shall be engaged in laying out, opening and making said road. Accounts.

SECTION 6. That said commissioners before entering upon the duties of their office, shall give a bond with at least one surety conditioned for the faithful application of all moneys received by them, and for the faithful discharge of the duties of their office; which bond shall be approved by the court of quarter sessions of said county of M'Kean, or by one of the judges thereof, and be noted upon the docket, and be filed among the records of said court. Bonds.

SECTION 7. That said commissioners shall have authority to survey and locate a road from where said road intersects the line between the counties of M'Kean and Warren westwardly to the intersection with the turnpike leading from Warren to Ridgeway, and they shall file a draft of the same in the court of quarter sessions of the county of Warren; and from the Location of road.

time of filing said draft the same shall be a public road or highway, with the same force and effect as other roads laid out by the township officers and approved according to law.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 270.

A FURTHER SUPPLEMENT

To the act to incorporate Dickinson Seminary, at Williamsport, approved the nineteenth day of April, one thousand eight hundred and forty-nine.

Borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the trustees of Dickinson seminary, at Williamsport, to receive subscriptions, and issue certificates of loan therefor, bearing an interest of six per cent., for any sum not less than twenty thousand dollars, to be divided into shares of twenty-five dollars each, for the purpose of aiding the said corporation to erect buildings and make improvements on the grounds of the said corporation, with the privilege of increasing the same as they shall deem proper and advantageous to the institution.

Election of trustees.

SECTION 2. That instead of the appointment of trustees as now provided for by the act to which this is supplementary, the owners of the certificates of loan hereinbefore provided to be issued, shall annually on the third Wednesday of June in each year, in person or by proxy elect, by ballot, eighteen trustees to serve for one year, and until their successors shall be duly elected: *Provided however,* That the presiding officer of the conference of the Methodist Episcopal church, within which the said seminary is located, shall appoint the principal of said seminary, who shall be ex-officio president of the board of trustees; and that the presiding elder of the Methodist Episcopal church of the district within which said seminary is located, and the Methodist Episcopal preacher in charge of the station at Williamsport, shall be ex-officio members of the board of trustees: *And provided further,* That two-thirds of the members of the board of trustees shall be members of the Methodist Episcopal church, and one-third of other denominations of christians.

Appointment of principal of seminary.

SECTION 3. That the interest provided to be paid on the certificates of loan hereinbefore provided to be issued, shall be a lien on all the property of the said corporation, real and personal, and the increase thereof. Interest a lien.

SECTION 4. That if at any time there shall be a surplus of profits, after the payment of the interest on the loans aforesaid, and the necessary repairs and improvements of the property of said corporation, the trustees are authorized to distribute said profits in pro rata dividends among the holders of the certificates of loan; said dividends to be made payable to the holders of the certificates of loan, or their legal representatives, at the office of the treasurer, on the first Monday of May in each year, notice of which shall be given by the treasurer in the newspapers of Lycoming county. Dividends.

SECTION 5. That it shall be lawful for the said board of trustees to appoint a treasurer and secretary, and such other officers or agents as they shall deem necessary to carry the objects of the corporation into full effect. Officers.

SECTION 6. That the treasurer shall give a bond with sureties, to be approved of by the board of trustees, in a sum not less than ten thousand dollars, conditioned for the faithful appropriation of all the moneys which shall come into his hands or possession, under the direction of the said trustees, and for the payment of any balance of money remaining in his hands or possession to his successor in office; and also for the delivery to his successor of all books and papers in his possession, or under his control belonging to said seminary: And it shall be the duty of the treasurer so to be appointed, to keep correct accounts of all moneys by him received and paid out under the direction of the board of trustees, and to exhibit once in each year, or oftener if required, a full statement of his accounts to the board of trustees, or any member thereof. Bonds by treasurer.

SECTION 7. That it shall be the duty of the secretary to keep a correct record of the proceedings of the board of trustees, and do and perform such other duties as shall be enjoined upon him by the by-laws of said corporation. Duty of secretary.

SECTION 8. That so much of the act to which this is supplementary, as is hereby changed, altered or supplied, be and the same is hereby repealed. Repeal.

SECTION 9. That at the elections hereinbefore provided to be held for trustees, subscribers to the loans aforesaid shall be entitled to one vote for each sum of twenty-five dollars subscribed and paid to the treasurer. Votes.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 271.

AN ACT

Relative to the estate of Jacob Loucks, a lunatic, of Manchester township,
York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Jacob Dietz, committee of the person and estate of Jacob Loucks, a lunatic, be and he is hereby authorized to erect a suitable and convenient house on the premises of said Jacob Loucks, situate in said township of Manchester, York county, and that he, said Jacob Dietz, committee as aforesaid, is hereby authorized and empowered to use and apply any money belonging to the estate of Jacob Loucks under his control, for the erection and construction of the same, and money expended by him for said purpose to be a proper credit in his account: *Provided, That no money shall be expended until a petition be filed in the proper court setting forth the nature and probable cost of the improvement about to be made; and notice of said application shall be served upon some one as the next friend of said Jacob Loucks, and upon the final hearing of said parties the court shall direct and approve of the nature of the improvements about to be made, and make such other order in the premises as to them shall seem meet.**

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 272.

A FURTHER SUPPLEMENT

To an act to revise the Militia System, and provide for the training of such only as shall be Uniformed, approved April seventeenth, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time fixed for the final settlement of the collectors of military fines with the county commissioners, as contemplated by and provided for in the third section of the act of the thirtieth*

day of April, Anno Domini one thousand eight hundred and fifty-three, to which this is a supplement, so far as regards the counties of Washington, Allegheny, Northumberland, Luzerne, Monroe, Tioga and Greene, is hereby extended to the first day of July next, and to the first day of April in each and every year thereafter, with full power to the said commissioners to make such final settlement and exonerations on the said first day of July for any preceding year: *And provided*, That in all cases where any part of such military fines has been paid over to any volunteer company by the proper collector or county treasurer, and the proper vouchers be presented therefor, such payment shall be allowed in any such final settlement.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 273.

AN ACT

Relative to a ground rent held by the Hazleton Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the purchase by the Hazleton coal company of the principal of a certain annual ground rent of one hundred and twenty-six dollars, issuing out of a lot of ground owned by the said company, situate on the west side of Wagner's alley, late Eutaw street, in the city of Philadelphia, and the deed poll conveying the same to said company, dated on the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-four, and recorded in Philadelphia, in Deed Book T H, number one hundred and forty-four, page one hundred and thirty-seven, et cetera, be and the same are hereby ratified and confirmed, and the title to said rent so conveyed is hereby made and declared to be of the same validity; and the said company shall have the same power to convey the same as if said company had been authorized by their charter to purchase and hold the same.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 274.

AN ACT

To incorporate the Fallen Timber Plank Road Company.

- Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That M. A. Wilson, William B. Darlington, Robert Graham, William P. Dysart, Fleming Holliday, William Suively, and others who may subscribe to the capital stock, are hereby appointed commissioners, or a majority of them, to open books and receive subscriptions, and organize a company by the name, style and title of the Fallen Timber plank road company, with power to construct a plank or turnpike road from some point in Cambria county, at or near Fallen Timber bridge, to connect with the Tuckahoe and Mount Pleasant plank road at or near the summit of the Allegheny mountain, in Blair or Cambria county, or by any other route that may be agreed on by the stockholders at a meeting held for that purpose; subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved twenty-sixth January, one thousand eight hundred and forty-nine, and the supplements thereto.
- Style.**
- Route.**
- Subject to.**
- Capital.** SECTION 2. That the capital of said company shall consist of two thousand dollars, to be divided into shares of twenty-five dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the same, to carry out the true intent and meaning of this act.
- Limitation.** SECTION 3. That if the said company shall not commence the construction of their road within five years after the passage of this act, and complete the same within seven years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED — The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 275.

AN ACT

Relative to the claim of Lucas Kilpatrick, late of the county of Northampton, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby directed to pay to Daniel Lauckencour, administrator, et cetera, of the estate of Lucas Kilpatrick, deceased, or his order, the sum of fifty dollars, out of any money in the treasury not otherwise appropriated, in full for amount awarded to the said Lucas Kilpatrick by the board of appraisers for ground occupied by the Delaware division of the Pennsylvania canal in passing through his ground, and so much of his lots as lie between the canal and the Delaware river, in the township of Williams and county of Northampton.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 276.

AN ACT

To incorporate the Chester Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Larkin, jr., James G. M'Collin, William Eyre, jr., John M. Broomall and Benjamin Gartside, and all other persons who may become subscribers according to the mode hereinafter prescribed, and their successors, are hereby created a corporation by the name of the Chester gas company, and empowered to make and sell gas for the purpose of lighting the streets, buildings and other places within the borough of Chester and its vicinity; and to enter into and execute contracts in relation to the objects of this corporation, and to purchase and hold any estate real or personal necessary to give effect to the same, or to secure debts due to them in the regular course of business.

Corporators.

Style.

Privileges.

Power to lay
pipes, &c.

SECTION 2. That the said corporation shall have power to lay pipes and to erect burners in the streets and roads of the said borough and its vicinity, and to do all other things necessary to light the said borough and vicinity and the buildings therein: *Provided*, That the public travel shall at no time be unnecessarily impeded by doing the same, and that all damage thereby done shall be forthwith repaired; and the council of the said borough shall have power to purchase gas of the said company for public use, and to pay for the same out of the treasury of the said borough.

Commissioners.

SECTION 3. That the said named persons are hereby appointed commissioners for receiving subscriptions for the sum of twenty-seven thousand dollars, to constitute the capital stock of said corporation, in shares of twenty-five dollars each; and said commissioners, or any two of them, shall open a book or books for that purpose, at such time and place within this state as they shall designate by a public advertisement, and the sum of five dollars upon each share so subscribed shall be paid by each subscriber at the time of subscription, and the remainder when required. When the said sum shall be fully subscribed, and the said five dollars per share paid, then the said five persons shall constitute a board of directors, and shall manage the concerns of the said corporation until the election of their successors under the provisions hereof; and the said books may at the discretion of the said directors be kept open for the further subscription of stock until the whole amounts to the sum of seventy-five thousand dollars.

Their duties.

Directors.

SECTION 4. That the management of the concerns of said company shall be vested in five directors, a majority of whom shall be citizens of the said borough; they shall be elected by the stockholders, and shall choose a president from among themselves; the first election shall be held on the first Thursday in May, one thousand eight hundred and fifty-seven: The term of office shall be one year, and until successors shall be duly elected: The board of directors for the time being, shall appoint and publish the hour and place of holding such election, at least ten days' notice of which shall be given in a newspaper published in or nearest the borough of Chester; and any vacancy in said board may be supplied by appointment, to be made by the board, until the next election. All elections shall be by ballot, allowing one vote for each share, which shall have been held at least three months before the time of voting, up to ten such shares, and an additional vote for every five such shares above the first ten; but no stockholder shall be entitled to more than two hundred votes. A majority of the directors shall constitute a quorum, and the board shall have power to enact all necessary by-laws, to borrow money, not exceeding five thousand dollars, and issue bonds for the same not less than one hundred dollars each, and to appoint a treasurer, secretary and other officers or agents, and require from them security for the faithful performance of their respective duties.

Elections.

Votes.

Quorum.

By-laws

Meetings.

SECTION 5. That if at any time an election be not held on the day appointed for that purpose, the corporation shall not be dissolved for that cause, but an election shall be held thereafter, at such time and place as the directors by their by-laws or other mode may appoint.

Transfers of stock

SECTION 6. That the stock of the corporation shall be transferable, according to the by-laws and regulations of the corpora-

tion, and shall be considered as personal property; and the stock and transfer books shall be open at all times to the inspection of the stockholders.

SECTION 7. That any person who shall wilfully injure any pipe or structure, or any other thing appertaining to the works of said corporation, shall be considered guilty of a misdemeanor, and being thereof convicted, shall be punished by a fine not exceeding three hundred dollars, or imprisonment not exceeding two years, or both, and shall be liable to an action for damages at the suit of the said corporation. Penalty for injuries to works, &c.

SECTION 8. That the said company shall cause to be kept at their office proper books of accounts, in which shall be fairly and truly entered all the transactions of the company; which books shall be at all times open for the inspection of the stockholders. Accounts.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 277.

AN ACT

To incorporate the Consolidated Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John H. Brown, J. B. Orne, John Ely, Joseph S. Brown, B. Rush Plumly, Lawrence Johnson, of the city of Philadelphia; Robert S. Hays, of Allegheny city; Gould P. Parrish and Charles Parrish, of the county of Luzerne; William H. Merrill and William A. Sheppard, of the city of New York, and such other persons as shall be associated with them, their successors and assigns, be and they are hereby erected into a body politic and corporate in deed and in law by the name, style and title of the Consolidated coal company, with all the powers and privileges incident thereto and by law pertaining to a body politic and corporate, with a capital stock of one million of dollars, with power to increase the same five hundred thousand dollars, to be divided into shares of one hundred dollars each. Corporators.

SECTION 2. That the affairs of said company shall be managed by a board of seven directors, one of whom shall be president, who shall be chosen by said directors; the first election shall be held within six months after this act takes effect, of Style.
Capital stock.
Directors and their election.

which election public notice shall be given at least four weeks in one newspaper published in the county of Luzerne, and one published in the city of Philadelphia, and subsequent elections shall be held at such time and place annually as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in shall entitle the holder to one vote: *Provided*, That no share transferred sixty days next preceding any election shall entitle the holder thereof to vote at any such election, nor shall any proxy be received or entitle the holder to vote, unless the same shall have been duly executed within three months next preceding said election.

Privileges.

SECTION 3. That the said corporation shall have authority to hold and use a common seal, and the same to change, alter or amend at pleasure, and by the style and title aforesaid shall be capable in law to sue and be sued before any court or justice of the peace in this commonwealth; may do and may make all needful rules, regulations and by-laws for the well ordering of the business and affairs of the corporation, so that the same shall in nowise conflict with or be contrary to the laws and constitution of this commonwealth, or of the United States.

May hold coal lands, &c.

SECTION 4. That the said corporation by the name aforesaid, may purchase and hold coal lands in the townships of Hanover and Wilkesbarre, in the county of Luzerne, not exceeding at any one time two thousand acres, with power to mortgage, sell, lease or otherwise dispose of the same, or any part thereof; and the capital of the company may be employed in mining, transporting to market and vending coal and other minerals the product of their lands, and such other objects as are necessary in the prosecution of said business; but nothing herein contained shall be construed to authorize said corporation to exercise banking privileges; and the said corporation shall have the right to purchase and hold timber lands in said county of Luzerne, to be used only as connected with their mining and transporting operations, not exceeding five hundred acres at any one time; and said corporation may purchase and hold lands in the county of Luzerne not exceeding fifteen acres, to be used for places of depositing and shipping their coal and other minerals.

Annual reports.

SECTION 5. That an annual report shall be made to the auditor general of the commonwealth in the month of January, to be by him filed in his office, and verified by the oath or affirmation of the president, secretary or treasurer of said company, showing the amount of capital stock paid in, of the number of acres and kind of lands held, the quantity of coal mined and shipped for the current year, and shall also state the names of all stockholders at the date of such report; and shall pay such tax on dividends as is or may hereafter be imposed by law.

Transfers.

SECTION 6. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation.

Dividends.

SECTION 7. That dividends may be declared and paid semi-annually or annually as the directors may order, but such dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacities, for the excess so divided and paid.

SECTION 8. That this act shall not take effect until four thousand shares shall have been subscribed and paid in, of which a statement containing the names of the subscribers and the amounts subscribed by each, verified by the oath or affirmation of some one of the subscribers shall be given to the governor, to be filed in the office of the secretary of the commonwealth, whereupon the governor shall issue letters patent to the corporations. Act to take effect.
Letters patent.

SECTION 9. That subscriptions to the stock may be paid in part or in whole in real estate not exceeding in the aggregate the quantity hereinbefore limited, appropriate to the business contemplated by this act, at a bona fide cash valuation to be agreed upon by a majority in interest of the subscribers and stockholders. Subscriptions.

SECTION 10. That the said corporation shall pay to the state treasurer for the use of the commonwealth, one-half of one per centum upon the amount of the capital stock subscribed and paid in, payable in four equal annual payments after the issuing of said letters patent, and a like per centum on any increase in like ratio after such increase. Bonus to state.

SECTION 11. That the said corporation shall have the right to make lateral railroads from their mines to the North Branch canal, or any other slackwater navigation of the commonwealth, or to connect with any railroad constructed or that may be constructed in the county of Luzerne: *Provided*, That no such lateral railroad shall exceed five miles in length. And in so laying out and constructing their said roads, the said company may have the right to proceed in the ascertainment of damages and the occupation of lands in the mode provided in the second section of an act, entitled "A supplement to the act incorporating the Pennsylvania coal company," approved the seventh day of March, one thousand eight hundred and forty-nine, and shall be governed and controlled by the provisions of said section. Lateral railroads

SECTION 12. That the stockholders and company shall be liable and subject to all the provisions contained in the eleventh, twelfth, thirteenth and fourteenth sections of an act, entitled "An Act to incorporate the Lackawanna iron and coal company," approved the fifth day of April, one thousand eight hundred and fifty-three, except that there shall be no individual liability for any loan to the said company. Subject to certain provisions.

SECTION 13. That this charter shall continue in full force for the term of twenty-years from the date of the said letters patent and no longer, unless extended by an act of the legislature, except for the purpose of winding up its affairs, and the legislature reserves the right to amend, alter or repeal the same at any time, in such manner however as shall do no injustice to the corporations. Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 278.

AN ACT

To incorporate the Chambersburg Gas Company.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Heyser, William McClellan, Daniel O. Gehr, James Nill, James Lesley, Bernard Wolff, J. Allison Eyster, Frederick Smith, George S. Eyster, and their associates and successors, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Chambersburg gas company; and by said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever; and also of contracting and being contracted with relative to the business and objects of said corporation as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure; and shall have power to lease or purchase in fee simple, or otherwise, such real estate as may be necessary for carrying on the business of said corporation; and in their corporate name to make and execute obligations for the liabilities created in the transactions of said business of the corporation, and for none other.

Style.

Privileges.

Powers and objects. SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Chambersburg, and its vicinity, in the county of Franklin, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on; and also to make and erect within said borough, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible.

Capital. SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed eighty thousand dollars, as the directors thereof shall deem necessary; for all which stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable at pleasure, by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation.

Directors and their election. SECTION 4. That the management and control of said corporation shall be vested in the persons named in the first section of the act, until the first Monday in January, Anno Domini one thousand eight hundred and fifty-seven, at which time the stockholders shall meet at such place as the board may designate, and

elect from their number seven managers to serve for one year, and until their successors shall be duly elected, which shall be annually on the first Monday in January thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said elections shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share *bona fide* held by him, her or them, either as trustees, executors or administrators at the time of holding said election.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws, not inconsistent with the laws of this commonwealth, and shall keep minutes of all their proceedings, which shall at all proper times be open to the inspection of the stockholders, and do all such acts and things for the proper regulation and government of the corporation, as they may deem necessary: They shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable, on the first Mondays in January and July of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared. By-laws.
Dividends.

SECTION 6. That if any person or persons shall open a communication into the gas main or other gas pipes of said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners, without having the same inspected and approved by the proper officer of the corporation, at proper times and under proper circumstances to inspect the pipes, metres, burners, et cetera, put up in any building, he, she or they so offending, shall be subject to a penalty of not less than five, nor more than fifty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recoverable, one-half to be paid to the informer, and the other half to the borough of Chambersburg, for the use of said borough. Penalty for illegally using gas.

SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done any act or acts whatever, whereby any building, construction, works, gas pipes, gas posts, burner, or any other matter or thing appertaining to the same shall be obstructed, injured or destroyed, the person or persons so offending, shall be considered guilty of a misdemeanor, and may be thereof indicted in the court of quarter sessions of the county of Franklin, and on conviction, shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, in the discretion of the court: *Provided*, That said criminal prosecution shall not, in any way, impair the right of said company to a full compensation in damages in a civil suit or action. Penalty for injuries to works.

SECTION 8. That said company shall, without unnecessary delay, refit, repair and restore to good and safe condition, all openings made in any of the streets, lanes and highways of the said borough, occasioned by the laying, refitting or examining their pipes, or for any other purpose, at the expense of said company, and to the satisfaction of the town council of said borough; and on failure to do so, shall forfeit and pay to and Duty of company.

for the use of the borough, with full costs, such a sum of money as may be necessarily expended by the town council in refitting and restoring the same; and the said company shall furnish all gas required or used for lighting up any or all of the streets, alleys or squares of said borough, at a deduction of five per centum from the rates charged to property holders and others by said company.

Penalty for refusing gas.

Privileges to be exclusive.

SECTION 9. That it shall not be lawful for said company to stop off the gas from any consumer, except for the purpose of repairs or unavoidable accident, who is willing to pay, and who tenders the amount due to the company by said consumer, for gas already consumed according to the established rates, under the penalty of five dollars, to be recovered for the use of the person injured as debts of like amount are by law recoverable; and the privileges granted by this act shall be exclusive, upon condition that the said company shall continue without unnecessary or unreasonable interruption to supply said borough, and the inhabitants thereof, with good and sufficient light (except in case of accidents) from the gas manufactured by said company, at the rates hereinbefore mentioned: *Provided nevertheless*, That said company shall not be required to lay down pipes for conveying gas to any portion of said borough, or its vicinity, unless, in the opinion of the managers, such portion contains a sufficient number of consumers to warrant the expense.

May borrow money.

SECTION 10. That the managers of this company are hereby authorized to borrow, if necessary, any sum or sums of money not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works, and to secure the payment of the same, may execute a mortgage or judgment upon their works and real estate, signed by their president, and attested by their secretary, in favor of the person or persons who may have loaned the same; and the said managers shall provide for the payment of the interest, not to exceed eight per cent. per annum upon any loan made under this section, out of the receipts of said company, before any dividends shall be paid to the stockholders.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 279.

A N A C T

To incorporate the Allegheny Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Solomon Sartwell, B. D. Hamlin, Samuel C. Hyde, William Y. M'Coy, O. R. Bennet, Gideon Irons, George B. Bachus, Aaron S. Arnold, A. M. Benton, H. H. Dent, Miles White, Henry Hamlin, C. K. Sartwell, A. I. Wilcox, T. Ives, L. D. Witmore, T. Stuthers, W. K. King, Ransom Larabee, J. M. Wright, F. A. Allen, P. W. Shaffer and J. S. Silver, are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say, they or any of them shall, on or before the first Monday of August next, procure a sufficient number of books, one or more of which shall be opened at the borough of Smethport, and others at such other places as the said commissioners may think proper, in which shall be entered as follows: We whose names are hereunto subscribed promise to pay to the Allegheny navigation company the sum of fifty dollars for each share of stock set opposite our names respectively, in such manner and in such proportions and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the general assembly of the commonwealth of Pennsylvania, entitled 'An Act to incorporate the Allegheny navigation company.' Witness our hands this day of in the year of our Lord one thousand eight hundred and fifty-six," and shall thereupon give such notice as they shall deem advisable of the time and places where said books shall be opened to receive subscriptions of stock, and they may adjourn from time to time and place as they may think proper, until the number of six thousand shares shall be subscribed; at least one of the said commissioners shall attend at such times and places to receive subscriptions, and five per centum on all subscriptions shall be paid at the time of making the same, to said commissioners, the balance of which after defraying incidental expenses they shall pay over to the treasurer of the company after its organization.

SECTION 2. That when one thousand shares or more shall be subscribed, the said commissioners or any five of them may certify to the governor the names of the subscribers, the number of shares subscribed by each, and that five per centum has been actually paid thereon; whereupon the governor shall by letters patent under his hand and seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, all who may afterwards subscribe, into a body politic and corporate in deed and in law by the style and title of the "Allegheny navigation company," by which name and style the stockholders shall have perpetual succession, be capable of suing and being sued, making, using and altering a common seal, ordaining and enacting by-laws, purchasing and holding all property real and personal necessary for them in the use and prosecution

Commissioners.

Their duties.

Letters patent.

Style.

of their works, and enjoy all the privileges and franchises incident to a corporation and navigation company.

Organization.

SECTION 3. That after the said letters patent shall be received any five of said commissioners may appoint a time and place for the meeting of the stockholders to organize said company, of which at least twenty days' previous notice shall be given in at least one newspaper in each of the counties of M'Kean, Potter and Warren; and at said meeting the stockholders shall proceed by ballot to elect a president, ten managers, a treasurer and a secretary; each share shall entitle the holder thereof to one vote, and the persons having the highest number of votes cast shall be declared elected to the offices for which they have respectively been named; and the officers so elected shall hold their respective offices for the term of one year and until their successors shall be elected.

By-laws.

SECTION 4. That the president and managers shall provide by by-law for future elections and annual meetings of the stockholders, and enact such other by-laws for the regulation and management of the affairs of the company as they may deem necessary and proper: *Provided*, That such by-laws shall not be inconsistent with the constitution and laws of the United States or of this commonwealth. They shall also fix the amount of security to be required of the treasurer and other officers, and appoint all engineers, superintendents and other officers and agents which may be necessary other than those to be elected as aforesaid.

Official bond.

Powers and objects.

SECTION 5. That said company shall have authority to construct a slackwater navigation by dams and locks on the Allegheny river and Potatoe creek, in the counties of M'Kean and Potter, adapting canal for any part or the whole, if found by the examination of their engineer to be more economical and advantageous, between the following points, to wit: From the state line to Smethport, and thence about eight miles to the Red Mill run, and from the mouth of Potatoe creek to Coudersport. And for this purpose it shall and may be lawful for the president and managers, their superintendents, engineers, surveyors, artists and workmen, to enter upon the lands along and on either side of said Allegheny river and Potatoe creek, between said points, and to occupy as much thereof as necessary, and to use the stone, gravel, earth and timber for their works, and first giving notice to the owners or occupiers of the lands to form and make any canals and cuts for straightening the channels of said streams, erect and set up any dams, locks, sluices, or other devices whatsoever, which they shall think most fit and convenient to make a complete improvement of the description proposed, between the points above named, and to erect and maintain necessary and convenient towing paths thereon.

Damages.

SECTION 6. That before entering upon and appropriating any lands, or taking wood, stone, sand, gravel or earth therefrom, the said company shall pay or tender to the owner or owners thereof compensation therefor; and in case the parties cannot agree upon the amount of compensation, each shall choose a man, who, if they cannot agree, shall choose an umpire, all of whom shall, under oath or affirmation, impartially estimate the same, taking into consideration the advantages as well as disadvantages of the improvement to the owners or occupiers of said lands, and their award shall be final and conclusive.

SECTION 7. That so soon as ten consecutive miles of said navigation shall be completed, the president and managers may give notice to the governor, who shall thereupon appoint three disinterested persons to view and examine the same, and report to him in writing under oath or affirmation, whether said works have been so far executed in a workmanlike manner, according to the true intent and meaning of this act; and if their report shall be in the affirmative, the governor shall by license under his hand and the seal of the commonwealth, permit the said president and managers, or such person or persons as they may or shall from time to time appoint for that purpose, to charge, collect and receive tolls for the use thereof: *Provided*, That such tolls shall not exceed one cent per ton per mile for freight, and in other respects not exceed the rates charged on the Pennsylvania canal; and as often thereafter as five additional miles shall be completed, like proceedings may be had and license granted by the governor for the collection of tolls thereon.

SECTION 8. That said company may increase their capital stock from time to time for the purpose of completing the said improvement, if such increase shall be required.

SECTION 9. That the provisions of the act, entitled "An Act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation," approved the tenth day of April, Anno Domini one thousand eight hundred and twenty-six, shall be applicable to this company and the works of improvement by this act authorized, as fully as if re-enacted and made part of this act.

SECTION 10. That it shall be the duty of said company in all cases where they may build dams on the Allegheny river or Potatoe creek, to construct therein good and convenient schutes for the safety of lumbermen who may run boards, timber and logs in rafts upon said streams, and also to build and erect good bridges across said streams on the line of said navigation wherever it may be necessary for public use and convenience, and over any canal or cut which they may make through any improved farm for the convenience of the owners thereof, if required.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 280.

AN ACT

In relation to Public Printing.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on Wednesday, the sixteenth day of April, one thousand eight hundred and fifty-six, and on the fourth Tuesday of January of every third year thereafter, the legislature shall meet in joint convention, in the hall of the House of Representatives, at twelve o'clock, and the speakers thereof shall receive proposals for executing the public printing and binding for the term of three years, at a certain rate per centum below the rates specified in this act; and the said speakers shall, in presence of said convention, open and publish all the proposals made, and shall proceed publicly to allot all the printing and binding aforesaid to the person or persons who may propose to execute the same at the highest rate per centum below the rates fixed by this act; and the person or persons to whom said printing shall be allotted, shall be required to execute the same in the manner provided by this act, and shall forthwith execute a bond to the commonwealth, with at least two sufficient sureties, in the sum of fifteen thousand dollars, conditioned for the faithful performance of the work so allotted, in the manner provided for in this act, which said bond shall be approved by the speakers of the Senate and House of Representatives; and in case the person or persons to whom the said printing shall be allotted shall fail to give said bond with sureties, the said speakers shall allot said printing and binding to the next lowest bidder, upon the same terms as to bond and sureties; and if the next lowest bidder fails to give bond as aforesaid, then the said speakers shall allot the same to the next lowest bidder, on the same terms in all respects, and so on shall make allotments as often as necessary, until the same is given to the lowest bidder, according to the true intent and meaning of this act. That the proposals authorized to be received by this act shall be sealed up and delivered to the speakers in the presence of the joint convention, and endorsed "Proposals for the public printing and binding:" *Provided,* That the secretary of the commonwealth, as soon after the passage of this act as practicable, shall cause by publication in two daily papers in the cities of Philadelphia and Pittsburg, and two papers in the borough of Harrisburg, of the time when proposals will be received for the first allotment under this act, and every third year thereafter, three weeks before the time fixed by this act for allotting the same.

SECTION 2. That the person or persons to whom the printing and binding shall be allotted, in pursuance of the first section of this act, shall procure good and sufficient materials for executing the printing of the laws, journals, reports, bills, resolutions, messages, and all other legislative and executive papers and documents that may be ordered by the legislature, or either

Time for receiving proposals.

Allotting printing.

Bond to be given.

Publication of notice of allotment.

Duty of contractor.

branch thereof, or by the executive or any of the departments of the government, and to keep the same at Harrisburg, and be at all times in readiness to execute the printing aforesaid in a neat and workmanlike manner, with the utmost dispatch.

SECTION 3. That the said contractor or contractors shall have the laws, journals, reports, messages, bills and other documents executed in the following manner, to wit: The laws, journals, reports, messages and documents on super royal paper, in octavo form and on neat long primer type, each page to contain as near as may be one thousand nine hundred ems, the lines to be thirty-three ems wide by fifty-five ems long, including head and foot lines, except rule and figure work, which may be in brevier or smaller type: *Provided*, They cannot be got in long primer, whenever such work shall exceed one page; and in no case hereafter shall any tables, or rule and figure work be printed except in consecutive pages of octavo form; the bills in folio form on pica type, each full page to contain not less than thirty lines thirty-seven ems pica in width, with a pica blank between each line. Manner of executing printing.

SECTION 4. That there shall be printed of the bills of each house two hundred and twelve copies in the English language, two hundred for the house ordering the bill, six for the office of the secretary of the commonwealth, and six, one each for the auditor general, state treasurer, surveyor general, state librarian, president of the canal board, and superintendent of public printing; of the Journals of each house, Executive Documents and Legislative Documents, in the English language, five hundred copies; the volume of Legislative Documents to be composed of all the documents ordered to be printed by either branch of the legislature, other than those embraced in the volume of Executive Documents, which are to be printed and bound in one volume and labelled "Legislative Documents;" of the laws there shall be printed, in the English language, seven thousand copies, sixty copies of which shall be full bound in unsplit sheepskin of the best quality, twenty copies to be labelled "Property of the Senate," thirty copies to be labelled "Property of the House of Representatives," and ten copies to be labelled "State Library," and for which the said contractor or contractors shall be paid sixty cents per volume for folding, stitching and binding said sixty copies, and shall deliver the whole number of said laws, journals, documents, et cetera, to the superintendent of printing within forty days after the rising of each legislature, unless further time shall be given in writing: and he shall cause to be printed and delivered to each house, such copies of the bills, journals, reports, messages, and other papers and documents as may be directed by the legislature, or either branch thereof, at the times and in the manner he may be directed in writing to do by the superintendent of printing. What shall be printed.

SECTION 5. That the said contractor or contractors shall fold, gather, stitch, collate, bind and deliver to the proper departments of the government, the laws, journals, reports, messages, bills, and other papers and documents as shall be required to be folded together, collated, bound and stitched, for which he shall be paid at the following rates, to wit: When a document does not exceed one sheet, fifteen cents per hundred copies, and ten cents per hundred copies for every additional sheet; for covering the laws, journals and documents when required, if printed, fifty cents per hundred copies, including composition, press When laws, &c., to be finished.

Compensation of contractor for certain work.

work and folding; and if not printed, twenty-five cents per hundred copies. There shall be full bound, in unsplit sheepskin of the best quality, thirty copies of the Journals, Executive Documents and Legislative Documents, ten copies of which shall be labelled "Table of the Senate," fifteen copies shall be labelled "Table of the House of Representatives," and five copies shall be labelled "State Library," which shall be paid for at the rate of sixty cents per copy, including folding, gathering, collating and sewing. Any additional copies of documents, laws or journals that may be ordered to be half-bound, shall be bound by the said contractor or contractors; and if labelled on the back and tipped with leather on the corners, they shall be paid for at the rate of twenty-five cents per copy, including folding, gathering, collating and sewing; and if not labelled and tipped with leather on the corners, twenty cents. When extras are ordered to be covered with printed covers of colored paper, half a cent per copy shall be paid for said covers, including composition, press work, and the putting on; but no document of less than two hundred pages shall be covered, unless specially ordered by either branch of the legislature: *Provided*, That no binding shall be executed by the said contractor or contractors, to be paid for by the state, for any member of either house or any officer thereof, unless the same shall be ordered by a separate or joint resolution.

Compensation for
composition, &c.

Pay for bills.

Provide.

Executive Docu-
ments.

SECTION 6. That the said contractor or contractors shall be allowed for the composition of the laws, journals, reports, messages, and all other documents except the bills, forty cents per thousand ems, with the addition of fifty per centum for rule and figure work; and at the rate of forty cents for each token of press work of two hundred and fifty impressions, of sixteen pages each; and all other press work, two hundred and fifty impressions, shall be counted as a token. And also, for printing, folding, stitching and delivering the bills for both houses, sixty cents per page; no blank pages, however, to be counted as printed pages. And the auditor general shall draw his warrant in favor of the said contractor or contractors, on the state treasurer, for the amount due him for printing, folding, stitching, cutting, binding and delivering, his accounts having first been audited upon certificates of the superintendent of printing, and approved: *Provided*, That the auditor general shall be and he is hereby authorized, at his discretion, to issue a draft or drafts in favor of said contractor or contractors, to any amount not exceeding five thousand dollars, within ten days after his election.

SECTION 7. That the annual reports authorized to be made by law by the canal commissioners, the state treasurer, auditor general, surveyor general, adjutant general, and superintendent of common schools, shall, on the first day of December, or as soon thereafter as possible, be made out in a fair and legible hand-writing, and in such form that all tabular statements can be printed in consecutive pages of the size of the journals, prescribed in the third section of this act, and delivered to the governor, who shall cause the same to be delivered to the superintendent of printing, to be printed and stitched or bound together in one volume in the form and manner provided for in the previous sections of this act, and labelled "Executive Documents;" and annually at the opening of the legislature, or as soon after as possible, the said contractor or contractors shall deliver to the

superintendent of printing, thirty-nine stitched and covered copies to be delivered to the clerk of the Senate, and one hundred and seven copies to the clerk of the House of Representatives, and the remainder of the five hundred copies authorized to be printed, shall be deposited with the secretary of the commonwealth, to be distributed with the journals and laws.

SECTION 8. That the secretary of the commonwealth shall cause to be furnished, in a fair and legible hand-writing, a true and accurate copy of the laws to the superintendent of printing; and the clerks of the respective houses of the legislature shall each furnish a copy of the journals, bills, reports, messages and other papers and documents without delay, to the said officer, and the contractor or contractors shall not be accountable for any delays occasioned for want of such copy.

Copies of laws, &c., to be furnished Superintendent of Printing.

SECTION 9. That if any error be committed in executing any part of the printing, as aforesaid, by which the sense or meaning may be altered, the said contractor or contractors who shall commit such error, shall forfeit to the state the amount of the compensation to which he may have been entitled for composition, press work, and paper, if furnished by the state, of the whole sheet of any law, journal, report, message or other paper or document in which such error may be found, and shall be accountable and pay for all paper furnished by the state which may be injured or lost by reason of such error, and the amount so forfeited shall be charged to the account of such contractor or contractors by the auditor general.

Certain materials to be accounted for.

SECTION 10. That there shall be printed from the original forms used in printing the Executive Documents, five thousand copies of the auditor general's report on the finances; five thousand copies of the canal commissioners' report, and twenty thousand copies of the report of the superintendent of common schools, ten thousand of which shall be for the use of the superintendent of common schools, to be delivered as soon as possible after the opening of each session of the legislature; one-third whereof shall be for the use of the Senate, and two-thirds for the use of the House of Representatives: *Provided*, That no charge shall be made for composition on the additional copies herein ordered. There shall be printed in the German language one-fourth of the aforesaid numbers of each of said documents to be distributed in like manner and proportion: *And provided also*, That when more than five thousand copies of any document shall be ordered, composition shall be allowed but once if ordered within six days, and ten per centum shall be deducted from the price of press work per token; when more than seven thousand five hundred are ordered, a deduction of fifteen per centum shall be made; when more than ten thousand, a deduction of twenty-five per centum; and for all exceeding fifteen thousand, a deduction of thirty per centum, except for the additional copies provided for in the law: *And provided further*, That there shall be no charge for composition on any extra documents, unless the composition charged for has been actually performed.

Certain reports to be printed.

Proviso.

German printing.

Deduction on extra documents.

SECTION 11. That the said contractor or contractors shall print the blanks, circulars, miscellaneous printing for all the officers of the commonwealth at Harrisburg, and on the line of the public works of the state at the following rates, viz: For the printing, pressing and ruling, whether blue or feint lined, or both, of every quire of twenty-four full sheets of quarto post, foolscap or flat

Compensation for blanks, &c.

which election public notice shall be given at least four weeks in one newspaper published in the county of Luzerne, and one published in the city of Philadelphia, and subsequent elections shall be held at such time and place annually as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in shall entitle the holder to one vote: *Provided*, That no share transferred sixty days next preceding any election shall entitle the holder thereof to vote at any such election, nor shall any proxy be received or entitle the holder to vote, unless the same shall have been duly executed within three months next preceding said election.

Privileges.

SECTION 3. That the said corporation shall have authority to hold and use a common seal, and the same to change, alter or amend at pleasure, and by the style and title aforesaid shall be capable in law to sue and be sued before any court or justice of the peace in this commonwealth; may do and may make all needful rules, regulations and by-laws for the well ordering of the business and affairs of the corporation, so that the same shall in nowise conflict with or be contrary to the laws and constitution of this commonwealth, or of the United States.

May hold coal lands, &c.

SECTION 4. That the said corporation by the name aforesaid, may purchase and hold coal lands in the townships of Hanover and Wilkesbarre, in the county of Luzerne, not exceeding at any one time two thousand acres, with power to mortgage, sell, lease or otherwise dispose of the same, or any part thereof; and the capital of the company may be employed in mining, transporting to market and vending coal and other minerals the product of their lands, and such other objects as are necessary in the prosecution of said business; but nothing herein contained shall be construed to authorize said corporation to exercise banking privileges; and the said corporation shall have the right to purchase and hold timber lands in said county of Luzerne, to be used only as connected with their mining and transporting operations, not exceeding five hundred acres at any one time; and said corporation may purchase and hold lands in the county of Luzerne not exceeding fifteen acres, to be used for places of depositing and shipping their coal and other minerals.

Annual reports.

SECTION 5. That an annual report shall be made to the auditor general of the commonwealth in the month of January, to be by him filed in his office, and verified by the oath or affirmation of the president, secretary or treasurer of said company, showing the amount of capital stock paid in, of the number of acres and kind of lands held, the quantity of coal mined and shipped for the current year, and shall also state the names of all stockholders at the date of such report; and shall pay such tax on dividends as is or may hereafter be imposed by law.

Transfers.

SECTION 6. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation.

Dividends.

SECTION 7. That dividends may be declared and paid semi-annually or annually as the directors may order, but such dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacities, for the excess so divided and paid.

SECTION 8. That this act shall not take effect until four thousand shares shall have been subscribed and paid in, of which a statement containing the names of the subscribers and the amounts subscribed by each, verified by the oath or affirmation of some one of the subscribers shall be given to the governor, to be filed in the office of the secretary of the commonwealth, whereupon the governor shall issue letters patent to the corporators. Act to take effect.

SECTION 9. That subscriptions to the stock may be paid in part or in whole in real estate not exceeding in the aggregate the quantity hereinbefore limited, appropriate to the business contemplated by this act, at a bona fide cash valuation to be agreed upon by a majority in interest of the subscribers and stockholders. Subscriptions.

SECTION 10. That the said corporation shall pay to the state treasurer for the use of the commonwealth, one-half of one per centum upon the amount of the capital stock subscribed and paid in, payable in four equal annual payments after the issuing of said letters patent, and a like per centum on any increase in like ratio after such increase. Bonus to state.

SECTION 11. That the said corporation shall have the right to make lateral railroads from their mines to the North Branch canal, or any other slackwater navigation of the commonwealth, or to connect with any railroad constructed or that may be constructed in the county of Luzerne: *Provided*, That no such lateral railroad shall exceed five miles in length. And in so laying out and constructing their said roads, the said company may have the right to proceed in the ascertainment of damages and the occupation of lands in the mode provided in the second section of an act, entitled "A supplement to the act incorporating the Pennsylvania coal company," approved the seventh day of March, one thousand eight hundred and forty-nine, and shall be governed and controlled by the provisions of said section. Lateral railroads

SECTION 12. That the stockholders and company shall be liable and subject to all the provisions contained in the eleventh, twelfth, thirteenth and fourteenth sections of an act, entitled "An Act to incorporate the Lackawanna iron and coal company," approved the fifth day of April, one thousand eight hundred and fifty-three, except that there shall be no individual liability for any loan to the said company. Subject to certain provisions.

SECTION 13. That this charter shall continue in full force for the term of twenty-years from the date of the said letters patent and no longer, unless extended by an act of the legislature, except for the purpose of winding up its affairs, and the legislature reserves the right to amend, alter or repeal the same at any time, in such manner however as shall do no injustice to the corporators. Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 278.

AN ACT

To incorporate the Chambersburg Gas Company.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Heyser, William McClellan, Daniel O. Gehr, James Nill, James Lesley, Bernard Wolff, J. Allison Eyster, Frederick Smith, George S. Eyster, and their associates and successors, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Chambersburg gas company; and by said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever; and also of contracting and being contracted with relative to the business and objects of said corporation as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure; and shall have power to lease or purchase in fee simple, or otherwise, such real estate as may be necessary for carrying on the business of said corporation; and in their corporate name to make and execute obligations for the liabilities created in the transactions of said business of the corporation, and for none other.

Style.

Privileges.

Powers and objects. SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Chambersburg, and its vicinity, in the county of Franklin, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on; and also to make and erect within said borough, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible.

Capital. SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed eighty thousand dollars, as the directors thereof shall deem necessary; for all which stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable at pleasure, by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation.

Directors and their election. SECTION 4. That the management and control of said corporation shall be vested in the persons named in the first section of the act, until the first Monday in January, Anno Domini one thousand eight hundred and fifty-seven, at which time the stockholders shall meet at such place as the board may designate, and

elect from their number seven managers to serve for one year, and until their successors shall be duly elected, which shall be annually on the first Monday in January thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said elections shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share *bona fide* held by him, her or them, either as trustees, executors or administrators at the time of holding said election.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws, not inconsistent with the laws of this commonwealth, and shall keep minutes of all their proceedings, which shall at all proper times be open to the inspection of the stockholders, and do all such acts and things for the proper regulation and government of the corporation, as they may deem necessary: They shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable, on the first Mondays in January and July of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared. By-laws.
Dividends.

SECTION 6. That if any person or persons shall open a communication into the gas main or other gas pipes of said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners, without having the same inspected and approved by the proper officer of the corporation, at proper times and under proper circumstances to inspect the pipes, metres, burners, et cetera, put up in any building, he, she or they so offending, shall be subject to a penalty of not less than five, nor more than fifty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recoverable, one-half to be paid to the informer, and the other half to the borough of Chambersburg, for the use of said borough. Penalty for illegally using gas.

SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done any act or acts whatever, whereby any building, construction, works, gas pipes, gas posts, burner, or any other matter or thing appertaining to the same shall be obstructed, injured or destroyed, the person or persons so offending, shall be considered guilty of a misdemeanor, and may be thereof indicted in the court of quarter sessions of the county of Franklin, and on conviction, shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, in the discretion of the court: *Provided*, That said criminal prosecution shall not, in any way, impair the right of said company to a full compensation in damages in a civil suit or action. Penalty for injuries to works.

SECTION 8. That said company shall, without unnecessary delay, refit, repair and restore to good and safe condition, all openings made in any of the streets, lanes and highways of the said borough, occasioned by the laying, refitting or examining their pipes, or for any other purpose, at the expense of said company, and to the satisfaction of the town council of said borough; and on failure to do so, shall forfeit and pay to and Duty of company.

Bonds

SECTION 2. That said supervisors shall, before entering upon the duties of their appointment, give bond to the commonwealth in the penal sum of one thousand dollars, with sufficient surety, to be approved by said court, conditioned for the faithful and judicious application of all moneys received by them for the use of said road, in repairing the same; which bond shall be filed in the prothonotary's office in said county of Sullivan.

Certain taxes applied to repair of road.

SECTION 3. That it shall be the duty of said supervisors, as soon as practicable after their appointment, to prepare lists of the warrantee names of every tract of unseated land through which said road passes, including every tract, the nearest line of which approaches within one mile of said road, between the points above specified, making a separate list for each county through which said road passes, and naming thereon the township in which each tract is situated; and shall file a copy thereof in the commissioners' office in the county where said land is located. After said lists shall have been filed in the manner above provided, it shall be the duty of the county commissioners in their respective counties, to give orders upon the county treasurer for the payment to said supervisors of all moneys collected for the use of roads on said tracts of land, in the manner orders are given for the payment of road moneys to supervisors in the several townships; and the money so paid shall be deducted out of the road tax collected from unseated lands, for the use of the public roads in the townships in which said lands are situated: *Provided*, That the supervisors of said townships shall be discharged from all obligation to repair the said Susquehanna and Tioga turnpike road between the points aforesaid.

Repairs to be made.

SECTION 4. The supervisors appointed in pursuance of this act shall have power, and they are hereby enjoined and required, to the extent of the fund received by them, to purchase wood, timber, and all other materials necessary for the purpose of making, maintaining and repairing the said turnpike road, and to employ, oversee and direct a sufficient number of laborers for that purpose, and shall have the power and authority granted to township supervisors in the forty-third section of an act relating to roads and highways, approved the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six, and shall be subject to the provisions of sections forty-four, forty-five, forty-six and forty-seven, of the aforesaid act: *Provided*, That the money collected in the several counties, shall be expended upon that part of said road that is within that particular county.

Accounts to be kept.

SECTION 5. That the said supervisors shall keep a book, in which they shall charge themselves with the amount of money received by them from each county, and shall credit themselves with the money expended for the use of said road, especially enumerating the several items; which book shall be kept open for the inspection of every person who requests to see the same: And it is hereby provided, that the Susquehanna and Tioga turnpike road company shall not resume their control over said road, or take toll for travel on the same, until the said company shall have first refunded to the several townships through which said road passes, all moneys which have been expended in repairing the same, and interest thereon.

Cost of repairs to be refunded.

Pay of supervisors

SECTION 6. That the said supervisors shall receive out of moneys appropriated for the use of said road, the sum of one

dollar per day for each day necessarily employed in discharging the duties enjoined by this act: And it is hereby provided, that this act shall continue in force six years, after which time the said road shall be subject to the laws relating to roads and highways in the counties in which said road is located.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 283.

AN ACT

For the relief of Elizabeth Betz, widow of Peter Betz, a soldier in the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby authorized and required to pay to Elizabeth Betz, of the borough of Harrisburg, Dauphin county, the widow of the late Peter Betz, deceased, who was a drummer in the Revolutionary war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars each year during her natural life, to be paid half yearly, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-six.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 284.

AN ACT

To change the time of holding the January term of the courts in Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the January term of the several courts of Berks county shall commence on the third Monday of January, in each and every year, and continue three weeks.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 285.

A SUPPLEMENT

To an act to incorporate the Spring Garden Insurance Company of the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter for the proper management of the affairs of the Spring Garden insurance company, there shall be seventeen directors, who shall be citizens of this commonwealth and stockholders of the said corporation, holding at least ten shares each in their own right, elected annually on the second Monday in January, by the stockholders at their general meeting for that purpose assembled, public notice of the time and place of holding such election having been given in at least two newspapers in the city of Philadelphia, not less than five days previous to holding the same; and the directors at their first meeting after each election shall choose one of their number as president; but in case it shall happen at any time that an election of directors should not be made upon any day when pursuant to this act it ought to have been made, the corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any day within thirty days thereafter to hold and make an election of directors, public notice having first been given as provided above;

nd in case of the death or resignation of any director, his place, as well as the additional directors authorized by this act, may be filled for the remainder of the year by the board of directors.

SECTION 2. That so much of the act to which this is a supplement, and the various acts amendatory thereof as are inconsistent herewith, shall be and the same are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 286.

AN ACT

To incorporate the Saxton and Morrison's Cove Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Fockler, Daniel Bars, James Saxton, George F. Bloom, George R. Barndollar, C. W. Ashcom, George Rhodes, John C. Everhart, Peter Vandevander, John Long, A. J. Crissman, C. Utig, Joseph Crissman and Isaac Kensinger, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of "The Saxton and Morrison's Cove turnpike road company," with power to construct a turnpike road from the town of Saxton, on the Huntingdon and Broad Top railroad, Bedford county, to the town of Woodberry, in Morrison's Cove, Bedford county, with a lateral branch leading from the most convenient point on Tusseys mountain, upon said road, to the town of Martinsburg, in Blair county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of twenty dollars each: *Provided,* That said company may from time to time by a vote of the stockholders, or a majority of them, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to carry out the true intent and meaning of this act.

Limitation.

SECTION 3. That if said company shall not commence the construction of the road from Saxton to Woodberry within two years, and complete it within five years from the passage of this act, the same shall be null and void, except so far as to authorize the settlement of the affairs and payment of the debts of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 287.

AN ACT

Relative to the school district of Upper Tulpehocken township, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of section one of an act relative to common school districts organized since June first, Anno Domini one thousand eight hundred and fifty-one, approved the seventeenth day of April, one thousand eight hundred and fifty-four, be and the same are hereby extended to the school district of Upper Tulpehocken township, in the county of Berks.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

C. Baxter
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No. 288.

AN ACT

To repeal an act in relation to the School District of the borough of Lawrenceville, Tioga county, approved the eighteenth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act relating to the school district of the borough of Lawrenceville, Tioga county, approved the eighteenth day of May, one thousand eight hundred and fifty-four, be and the same is hereby repealed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 289.

AN ACT

Legalizing Investments of Bonds or Certificates of Debts created by the borough of Allentown, in the county of Lehigh, in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the bonds or certificates of debts to be created by the borough of Allentown, in the county of Lehigh, be and they are hereby declared legal investments of money by executors, administrators, guardians or trustees, in manner, and subject to all the provisions and conditions of the fourteenth section of an act relating to orphans' courts, approved the twenty-ninth day of March, one thousand eight hundred and thirty-two.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

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No. 290.

AN ACT

To authorize the burges and town council of the borough of New Castle to subscribe stock to the New Castle Gas Light Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the burges and town council of the borough of New Castle, in the county of Lawrence, to subscribe for or purchase stock in the New Castle gas light company, to any amount not to exceed ten thousand dollars, and to receive, hold and dispose of any stock so subscribed or purchased in the same manner as other property belonging to said borough, and to have a right to vote for president and managers of the said company same as other stockholders in said company. That the New Castle gas light company be and they are hereby authorized and empowered to introduce water into the borough of New Castle and the surrounding villages, and for that purpose said company shall have all the rights and privileges and be subject to all the restrictions contained in the act to incorporate the Schuylkill Haven gas and water company, approved the ninth day of April, one thousand eight hundred and fifty-five, so far as relates to the introduction of water into said borough; and said company shall have power to issue bonds to any amount not exceeding twenty thousand dollars, in amounts not less than one hundred dollars each, and with power to secure the same by mortgage or otherwise.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 291.

AN ACT

To incorporate the Infantry Corps of National Guards of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

eter Lyle, George Megee, D. W. C. Baxter, Robert B. Quayle, *Corporators.*
 eremiah W. Fritz, F. E. Wilcox, Alfred J. Sellers, John T.
 urang, William B. Carlisle, John S. Davis, William P. Davis,
 avid P. Weaver, William Lindsay, and their associates, who
 re now members of the Infantry Corps of National Guards of
 e city of Philadelphia, attached to the first brigade, first divi-
 on, Pennsylvania volunteers, and all other persons who shall
 ereafter become members of the same, shall be and they are
 hereby created and erected into a body politic, under the name, *Style.*
 le and title of the Infantry Corps of National Guards of the
 y of Philadelphia, and by that name shall have perpetual suc-
 sion, and be able to sue and be sued, plead and be impleaded, *Privileges.*
 nder and be answered, defend and be defended, in all courts
 law and equity within this commonwealth and elsewhere,
 nd also to be able to take and hold to them and their successors,
 ther by gift, grant, devise, lease, absolute purchase, or in any
 ther manner, a suitable lot of ground with building thereon,
 or the purposes of an armory and other proper and needful ones
 onected with the affairs thereof, with the necessary and con-
 venient furniture, fixtures and appliances, with right to lease
 erts and portions of the said lot and building, and the same at
 heir pleasure and from time to time to grant, bargain, sell,
 alien, or dispose of, either absolutely, with a reservation of rent,
 or upon mortgage, and generally to do and perform all and
 singular the matters and things which shall be lawful for them
 to do and perform for the well being and due management of
 the affairs of the said association: *Provided,* That the clear
 yearly income of said corporation shall not exceed the sum of
 three thousand dollars.

SECTION 2. That it shall and may be lawful for the said asso- *Powers.*
 ciation to have a common seal, and the same at will or pleasure
 to change, alter, and renew as they shall think proper, and also
 to ordain, establish and put in execution such by-laws, ordi-
 nances and regulations as shall appear necessary and convenient
 for the government of the said corporation: *Provided,* The same
 are not contrary to this charter or the constitution and laws of
 the United States or of this commonwealth.

SECTION 3. That the legislature hereby reserves the right to *Reservation.*
 alter or amend the charter hereby granted, whenever it may be
 injurious to the citizens of this commonwealth, in such manner,
 however, that no injustice shall be done to the corporators.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thou-
 sand eight hundred and fifty-six.

JAMES POLLOCK.

No. 292.

AN ACT

Relative to Hupkstering in the counties of Berks and Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall not be lawful in the counties of Berks and Lebanon, for any person or persons to buy or exchange, or barter any kind of goods or groceries whatever for marketable produce, with the intention of selling the same, without first obtaining a license from the proper authorities of the said county, under a penalty of fifty dollars; which penalty shall be collected as debts of like amount are now by law collected, and the amount thereof to go to the public school fund of the district in which the offence is committed: *Provided, That* nothing in this section shall prevent the informer from being a competent witness.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 293.

AN ACT

Authorising the sale of the Bald Eagle Bridge, in Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the Bald Eagle bridge company to make sale by public outcry of the Bald Eagle bridge structure, including all the wood work, iron, abutments and piers across the Bald Eagle creek, about one mile from the borough of Lock Haven, Clinton county, for the purpose of paying the debts against said company, having first given at least fifteen days' notice of such sale by publication in the papers published in Lock Haven, and by ten written or printed handbills put up in the most public places in Allison township and the borough of Lock Haven, of the time and place of sale; and also to make a title to the purchaser by deed to be signed by the officers of said company in their official capacity; which deed when so executed shall vest

Sale authorised.

Deed to be made.

a said purchaser all the rights, title, franchises and privileges of said company, of, in and to said bridge, as fully as the same is now held by said company.

SECTION 2. That the commissioners of Clinton county are hereby authorized to purchase said bridge for said county, for the purpose of making the same a free county bridge, either at the public sale or from the purchaser at said sale; and upon their paying the indebtedness of said company, together with interest and costs, including costs of sale, the said commissioners for said county shall be entitled to have possession of and property in the same, so full and entire as the same is now held by said company, and from that time it shall be declared to be a free bridge, and be subject to the same regulations and provisions in all respects as if the same had been originally erected as a county bridge, under the regulations of the several acts of assembly relating to county bridges.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 294.

A FURTHER SUPPLEMENT

To the act incorporating the Manheim, Petersburg and Lancaster Turnpike or Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Manheim, Petersburg and Lancaster turnpike or plank road company, in addition to five thousand dollars already authorized to borrow, may further borrow the sum of money not exceeding five thousand dollars, for the purpose of turnpiking their road; and the present location of the said road to be lawful to James street, in the city of Lancaster, its present terminus: *Provided,* That said company may, at any time, transfer such portion of their road lying within the city of Lancaster to the said city, on such terms as they and the city authorities may agree upon.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 295.

AN ACT

To preserve the Health of the borough of Kittanning.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the first day of July next, it shall not be lawful for any person or persons to bury or inter any corpse or remains of the dead, except as hereinafter provided, within the limits of the borough of Kittanning, in the county of Armstrong; and if any person or persons shall violate the provisions of this act, he, she or they shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished accordingly; and shall also forfeit and pay to the said borough for every such offence, the sum of twenty dollars, to be recovered as debts of like amount are recoverable before any justice of the peace in this commonwealth: *Provided, That* this act shall not be so construed as to interfere with, or to prevent the burying of the dead in the chartered or incorporated graveyard or cemetery, between Jefferson and Water streets, and north of High street, in said borough, or the present burial ground of the Catholic church of Saint Mary, in said borough, adjoining Water and High streets.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 296.

AN ACT

Appointing Commissioners to view and lay out a State Road from Kellyville, Indiana county, to intersect the Punxsutawney and Brookville Road, at or near the late Jacob Hoever's mill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Y. Smitten, of Indiana county, Charles B. Hutchison and Joel Spyker, of Jefferson county, be and they are hereby ap-
pointed.

pointed commissioners to view and lay out and mark a state road, beginning at Kellysville, Indiana county, and to intersect the Punxsutawney and Brookville road at or near the mill lately belonging to Jacob Hoover, in Jefferson county, by the most practicable route, having regard to distance, public convenience and cost of construction, and at an elevation not exceeding four degrees, (except at crossing of ravines and streams,) where by moderate filling and bridging the declination of the road may be preserved within that limit. Route.
Grade.

SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, after being sworn or affirmed before some person having authority to administer oaths, to perform the duties enjoined by this act with fidelity, carefully to view the ground over which said road is to pass and lay out the same, adopting as far as convenient and practicable, any road or part of a road now in use; and said commissioners shall receive for their services the sum of one dollar and fifty cents per day, and if either of said commissioners shall act as surveyor he shall receive the additional sum of one dollar per day; and said commissioners may employ two chain carriers and one axeman, at a sum not exceeding one dollar per day each. Duty of commissioners.
Pay.

SECTION 3. That the said commissioners shall make out a full and accurate draft of the road so laid out by them, and file copies thereof in the courts of quarter sessions of the several counties through which said road may pass, and from thenceforth the said road shall be held and deemed a public highway, and shall be opened and repaired as roads laid out by the courts are made, opened and repaired. Drafts.

SECTION 4. That it shall be the duty of the supervisors of the several townships through which said road shall pass, upon due notice given in writing by any person interested in its use, to proceed without delay to the opening and construction of the same, and in case of failure so to do, the said officers shall be subject to all the penalties and forfeitures under existing laws for disregard of duty in making and repairing of public highways. Road to be opened

SECTION 5. That the said road shall be laid out and reports thereof filed before the first day of July next; and if any one of the said commissioners shall die, remove, refuse, or be unable to act, his place may be filled by the remaining commissioners. Vacancies.

SECTION 6. That the compensation of said commissioners and the chain carriers and axemen employed by them, shall be paid by the several counties through which the said road may pass, in proportion to the extent of the road in each, and orders therefor shall be issued by the commissioners of each county upon the treasurers thereof, in the usual manner. Expenses, how paid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 297.

AN ACT

Relative to the time of holding courts in Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the twenty-first section of the act passed the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Butler coal company, and to courts in Fayette county," et cetera, be and the same is hereby repealed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 298.

AN ACT

To authorize the Sheriff and Commissioners of Washington county to select Jurors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sheriff and at least two of the commissioners of Washington county, at any time fifteen days previous to May term next, shall proceed with due diligence to select at the seat of justice thereof, from the taxable citizens of the county, a sufficient number of sober, intelligent and judicious persons, to serve as jurors in the several courts of said county in which juries shall be required to be holden therein during the present year, and also a number of names requisite to compose the panels of jurors for one court at the least for the succeeding year, and not a greater number: Provided, That the sheriff and commissioners in selecting said jurors shall be governed by the provisions of an act, entitled "An Act relative to the organization of the courts of justice," approved April fourteenth, one thousand eight*

undred and thirty-four, or so much of the same as relates to
aries in this commonwealth.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thou-
and eight hundred and fifty-six. JAMES POLLOCK.

No. 299.

AN ACT

Supplemental to an act, entitled "An Act to enable Joint Tenants, Tenants
in Common, and Adjoining Owners of mineral lands in this Common-
wealth, to manage and develop the same," approved the twenty-first
day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assembly
met, and it is hereby enacted by the authority of the same, That*
the second proviso of the second section of an act to enable
joint tenants, tenants in common, and adjoining owners of min-
eral lands in this commonwealth, to manage and develop the
same, approved the twenty-first day of April, Anno Domini
one thousand eight hundred and fifty-four, is hereby repealed;
and that companies now formed, or that may hereafter be formed
under the act mentioned in the foregoing section, be and they
are hereby authorized, in addition to the rights and privileges
conferred by said act, to engage in and carry on the mining,
and preparing for market, coal, fire-clay and other minerals
found on or in their lands, manufacturing the products of the
same, selling or conveying the same, and the products thereof,
to market: *Provided*, That the liability of the stockholders
created by said act, shall extend to include all debts contracted
by them for work and labor done or materials furnished for
opening, improving and preparing their lands for mining pur-
poses, and all debts contracted by the said corporation in their
business of mining, selling and conveying to market the min-
erals on or in their said lands: *Provided also*, That such com-
panies shall make the return, and pay the tax on dividends, to
which the stock of such company shall be liable under the ex-
isting laws of this commonwealth: *Provided*, That the amount
of capital stock shall not exceed five hundred thousand dollars:
Provided, That none of the provisions of this act shall extend
to Northumberland county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thou-
sand eight hundred and fifty-six. JAMES POLLOCK.

No. 300.

AN ACT

Relative to Agencies of Foreign Insurance, Trust and Annuity Companies.

Agencies of
foreign insurance
companies regu-
lated.

What is required
of them.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall not be lawful for any fire, marine, inland, or life insurance, trust or annuity company incorporated by any other state of the United States, or by any foreign government, directly or indirectly, to take risks or transact any business of insurance, to accept trusts or grant annuities in this state, unless possessed of a bona fide capital of two hundred thousand dollars, safely invested; and any such insurance, trust or annuity company desiring to transact any such business as aforesaid, by any agent or agents in this state, shall first appoint an attorney resident in this state, on whom process of law may and can be served, and file in the office of the auditor general of this commonwealth a certified copy of the resolution of the board of directors or managers of such company appointing such attorney or agent; and the president, vice president or secretary of any such company shall, on the first Monday in January in each and every year that they shall transact business in this state, or within one month thereafter, prepare, under oath or affirmation, and deposit and file in the office of the auditor general of this commonwealth, a certified copy of the charter of such company, stating the name of the company, and the name of the town and county and state in which it is located, and a statement of the condition of such company at that date, or at the date of the balance sheet of the company presented to stockholders at the annual meeting last preceding, exhibiting the following facts and items, viz:

First.—The amount of the capital stock of the company, with the number of shares subscribed for, and the amount of the assessments or instalments on the same, that have been called in and actually paid into the company in cash.

Second.—The property or assets held by the company, specifying,

I. The value, or nearly as may be, of the real estate held by such company.

II. The amount of cash on hand and deposited in the banks to the credit of the company, specifying in what banks the same is deposited.

III. The amount of cash in the hands of agents and in the course of transmission.

IV. The amount of loans secured by bonds and mortgages, constituting the first lien on real estate on which there shall be less than one year's interest due and owing.

V. The amount of loans on which interest has not been paid within one year previous to such statement.

VI. The amounts due the company on which judgments have been obtained.

VII. The amount of stocks, whether of any state, or of the United States, or of any incorporated city of the United States, or of any other description owned by the company, specifying the market value and number of shares of such stocks, and the par value of the same.

VIII. The amount of stock held by the company as collateral security for loans, with the amount loaned on each kind of stock, its par and market value.

IX. The amount of assessments on the stock of the company called in and due and unpaid, and the amount of the premium notes due and unpaid.

X. The amount of interest on investments made by the company due and unpaid.

XI. The amount of premium notes due the company.

Third.—The liabilities of such company, stating

I. The amount of losses due and unpaid.

II. The amount of the claims for losses, which are in suit or contested by the company.

III. The amount of the losses of the company during the year, for which the statement is made, distinguishing between those paid and those not settled, those contested and those reported to the company and not acted upon.

IV. The amount of the dividends declared by the company, and the amount due and unpaid.

V. The amount of dividends (either cash or scrip) declared by such company, and not yet due.

VI. The amount of money borrowed, and the nature and amount of the security given for the payment of the same.

VII. The amount of all the existing claims against the company, contested or otherwise.

Fourth.—The income of the company for the year preceding the statement, specifying

I. The amount of cash premiums received.

II. The amount of the premium notes taken by the company.

III. The amount of premiums earned.

IV. The amount of interest money received from the investments of the company.

V. The amount of income received from any other sources.

Fifth.—The expenditures of the company during the preceding year, setting forth

I. The amount of losses paid during the year, stating how much of the same accrued prior to the year, and the amount at which such losses were estimated in the preceding annual statement.

II. The amount paid and owing for re-insurance premiums.

III. The amount of return premiums, whether paid or unpaid.

IV. The amount of dividends declared, and the amount paid during the year.

V. The amount of the expenses paid during the year, including commissions and fees paid to the agents and officers of the company.

VI. The amount of taxes paid by the company.

VII. The amount of all other expenses and expenditures of the company.

And the statement of any such company as aforesaid, the capital of which is composed in whole or in part of promissory notes, shall, in addition to the foregoing, exhibit the amount of

the notes originally forming the capital; and also, what proportion of said notes are still held by such company, and are considered as a part or the whole of the capital thereof.

Penalty for not making annual statement.

SECTION 2. That any such insurance, trust or annuity company as aforesaid, not chartered by this commonwealth, or any person acting as agent for such company, receiving premiums and transacting the business of insurance, accepting trusts or granting annuities in this commonwealth, who shall fail to make and deposit in the office of the auditor general a yearly statement of its affairs, in accordance with the requirements of this act, shall be subject to a fine or penalty of five hundred dollars, and to an additional fine or penalty of five hundred dollars for every month that such company, or such agent, shall or may transact any business, accept trusts or grant annuities within this commonwealth, after the time named for the filing of such statement.

Reports to be sent to legislature.

SECTION 3. That it shall be the duty of the auditor general to cause the information contained in the above mentioned statements of such insurance, trust or annuity companies required by this law, to be arranged in a tabular form, and to prepare the same in a single document for printing, which he shall communicate to the legislature annually.

License, how obtained.

SECTION 4. That every such insurance, trust or annuity company as aforesaid, not chartered by this commonwealth, shall before receiving any premiums, taking any risk, or issuing any policy or obligation in the nature of a policy of insurance, or before accepting any trust or granting any annuity, forward to the auditor general of this commonwealth the statement required by the first section of this act, together with a written application for a license to transact their said business in this commonwealth, signed by the agent appointed by such company; and the auditor general of this commonwealth, after having received the statement required by the first section of this act, and the written application, shall grant to such company a license to carry on their said business by their said agent within this commonwealth for the period of one year from the date of granting such license: *Provided*, That he shall be satisfied that said corporation is possessed of the assets stated, and that they are of the value represented in the statement: *And provided* That no agent shall be allowed to transact any business for any such company whose capital may become impaired to the extent of more than thirty per centum thereof: *And provided also* That before such company shall receive from the auditor general such license as aforesaid, they shall pay or cause to be paid to the treasurer of the state, for the use of this commonwealth for transacting business in the city of Philadelphia, the sum of two hundred dollars; in the counties of Allegheny and Lancaster each the sum of one hundred and fifty dollars; and in each and every other county in this commonwealth the sum of one hundred dollars; and a like sum for each and every year thereafter for the renewal of such license, together with the usual fees of the auditor general for filing the statement and application and granting of the said license; and the said agent of such company transacting business in any city or county of this commonwealth, shall retain in his hands out of every dollar received by him for premiums, gross sums paid for annuities, and on all commissions for executing trusts, the sum of three cents, which said sum shall be paid to the treasurer of the commonwealth a

Rates of license.

Tax to commonwealth.

the time of furnishing the annual statement required by this act; and the auditor general shall not have the power to grant a renewal of the license to such a company, until such moneys are paid into the hands of the treasurer of the state for the use of this commonwealth.

SECTION 5. That it shall be the duty of every such corporation or company as aforesaid to publish annually a copy of the statement forwarded to the auditor general, within one month from the time the license is granted, at least three times a week for the space of two weeks, in the city or county in which they do business, or in which their said agency may be established; or if no daily paper is published in said city or county, then in a weekly paper thereof for three weeks.

Publication to be made by companies.

SECTION 6. That it shall be the duty of every agent of every such company not chartered by this commonwealth, before entering upon the duties of his office, to give a bond in two thousand dollars, with two sureties, residents of the county, and which shall be approved by the district attorney of the commonwealth of the county in which the agency is to be established, conditioned for the faithful discharge of all the duties enjoined upon him by the provisions of this act, and for the payment of all moneys received by him or payable by him for the use of the commonwealth; which bond shall be taken by and acknowledged before the recorder of deeds of the same county, and recorded in his office at the expense of the said company or association; and certified copies thereof under the seal of the recorder shall be as good evidence as the production of the original would be in any action brought against such agent or his sureties on such bond.

Agent to give bond.

SECTION 7. That for the better enforcement of the provisions of this act relative to insurance, trust and annuity companies not chartered by this commonwealth, it shall be the duty of the district attorney of this commonwealth, in any of the counties of the commonwealth, to enforce the provisions and requirements of this act, for which each and every district attorney in every county of this commonwealth has full power and authority, personally or by some person acting for him by his authority, once in each and every year, to examine any agent or agents transacting or carrying on the business in the county in which said district attorney is elected, for any such insurance, trust and annuity company not chartered by this commonwealth, to examine the books of all such agencies, so as to satisfy himself that such agent or agents have fully fulfilled the provisions and requirements of this act, paid all taxes due the commonwealth, and that such insurance, trust or annuity company as aforesaid is possessed of a *bona fide* capital of two hundred thousand dollars, safely invested, and make a report thereof once in each and every year, to the auditor general of the commonwealth; for which said report and services the said district attorneys shall receive from the commonwealth ten per centum on the amount of the state tax paid into the treasury of the commonwealth by all agents of any such insurance, annuity or trust company not chartered by this commonwealth, as shall be named in his annual report and doing business within his jurisdiction, to the auditor general; and it shall be the duty of the said district attorneys in the several counties of this commonwealth, and they are hereby empowered to enforce this act and its penalties against any such agents or companies as aforesaid, by suit or

Power and duties of district attorneys.

suits at law in the name of the commonwealth; and for every suit so commenced and prosecuted to judgment and execution, the said district attorneys shall receive an attorney fee of ten dollars in addition to the fees above within mentioned; which said fee shall be a part of the taxable costs of such suit, and payable as such by the said agent or agents violating this act, or carrying on the said business of insurance, accepting trusts, or of granting annuities within and not chartered by this commonwealth.

Repeal.

SECTION 8. That all other acts or such parts thereof heretofore passed, relative to insurance, trust or annuity companies not chartered by this commonwealth, that conflict herewith, are hereby repealed: *Provided*, That this act shall not take effect until after the first day of July next.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 301.

A SUPPLEMENT

To an act, entitled "An Act regulating Railroad Companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

WHEREAS, Some doubts and difficulties have arisen in regard to the intention and proper construction of the first section of a certain act, approved the twenty-seventh day of April, Anno Domini, one thousand eight hundred and fifty-five, entitled "An Act extending the right of trial by jury to certain cases:" Now, for the removal of said doubts and difficulties, and for certainty in the premises,

Act construed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of the said act was, that it should apply to and embrace cases pending at the time of the passage of the said act.

Proceedings to ascertain amount of damages.

SECTION 2. That hereafter in all cases where the parties cannot agree upon the amount of damages claimed, or by reason of the absence or legal incapacity of such owner or owners, no such agreement can be made, either for lands, water, water rights, or materials, the company shall tender a bond, with at least two sufficient sureties, to the party claiming or entitled to any damages, or to the attorney or agent of any person absent, or to the guardian or committee of any one under legal incapacity, the condition of which shall be, that the company will pay

or cause to be paid such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed in the manner provided for by this and the act to which it is a supplement: *Provided*, That in case the party or parties claiming damages refuse, or do not accept the bond as tendered, the said company shall then give the party a written notice of the time when the same will be presented for filing in court; and thereafter the said company may present said bond to the court of common pleas of the county where the lands, water, or materials are, and if the bond and sureties are approved, the bond shall be filed in said court for the benefit of those interested; and recovery may be had thereon for the amount of damages assessed, if the same be not paid or cannot be made by execution on the judgment in the issue formed to try the question.

SECTION 3. That the viewers provided for in the eleventh section of the act to which this is a supplement, may be appointed before or after the entry for constructing said road, or taking materials therefor, and upon the report of said viewers, or any four of them, being filed in said court, either party, within thirty days thereafter, may file his, her, or their appeal from said report to the said court; after such appeal, either party may put the cause at issue in the form directed by said court, and the same shall then be tried by said court and a jury; and after final judgment, either party may have a writ of error thereto from the supreme court, in the manner prescribed in other cases. The said court shall have power to order what notices shall be given connected with any part of the proceedings, and may make all such orders connected with the same as may be deemed requisite. If any exceptions be filed with any appeal to the proceedings, they shall be speedily disposed of; and if allowed, a new view shall be ordered; and if disallowed, the appeal shall proceed as before provided.

Appointment of viewers

Appeal allowed.

Writ of error.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 302.

A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate a company to erect a Bridge over the Allegheny river, at or near Sharpsburg, Allegheny county, approved the twenty-first day of March, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

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the words, "the right of said corporation to receive," in section second fourth line of an act, entitled "A further supplement to an act to authorize the governor to incorporate a company to erect a bridge over the Allegheny river, at or near Sharpsburg, Allegheny county, approved the twenty-first day of March, one thousand eight hundred and fifty-six," shall read "the right of said corporation to recover."

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six. JAMES POLLOCK.

No. 303.

AN ACT

To establish a uniform standard for the measurement of unslaked lime, in the county of Allegheny.

Size of bushel.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of June next, the standard bushel for the measurement of unslaked lime, in the county of Allegheny, shall contain two thousand one hundred and fifty forty-two one hundredth cubic inches, even measure.

Duty of sealer of weights and measures.

SECTION 2. It shall be the duty of the sealer of weights and measures, for the county of Allegheny, to measure and seal the full and three-fourths capacity of all cars, carts, trucks, wagons, and other vehicles used in the transportation and sale of unslaked lime, subject to all the penalties and provisions, so far as the same are applicable, contained in an act passed the twenty-first day of April, Anno Domini one thousand eight hundred and forty-six, entitled "A supplement to an act authorizing the secretary of the commonwealth to distribute copies of the standards of weights and measures, and for the appointment of sealers," passed April fifteenth, Anno Domini one thousand eight hundred and forty-five, and subject to the proviso contained in the second section of an act passed the twenty-third day of March, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act to establish a uniform standard for the measurement of bituminous coal, and for other purposes."

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six. JAMES POLLOCK.

No. 304.

AN ACT

For the relief of John Pounds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is authorized and required to pay John Pounds, of Indiana county, a soldier of Indian wars, or his order, a gratuity of forty dollars and annuity of forty dollars during the term of his natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and half yearly thereafter, on the first day of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 305.

AN ACT

To legalize an election in Franklin township, Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for township officers, held in Franklin township, in the county of Washington, on the twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby declared as legal and valid, for all purposes, as if said election had been held at the place legally appointed for holding the same.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

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No. 306.

AN ACT

Relating to Wharves upon the Canals of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby empowered to authorize the owner or owners of lands along the berme bank of any of the canals belonging to this commonwealth, to construct wharves on his or their own premises on the said berme bank; and to grant to such owner or owners the privilege of using and occupying the said wharves, in loading and unloading goods, wares, merchandize, coal, lumber or other freight; subject, however, to such regulations and restrictions as the said canal commissioners may deem expedient and proper: *Provided,* That the same shall not, in any manner, interfere with the free navigation of said canals.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six. JAMES POLLOCK.

No. 307.

AN ACT

To repeal an act, entitled "An Act regulating the mode of voting at special, township, borough and general elections, in Beaver and Lawrence counties," passed the fifth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act regulating the mode of voting at special, township, borough and general elections, in Beaver and Lawrence counties," approved the fifth day of May, one thousand eight hundred and fifty-four, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six. JAMES POLLOCK.

No. 308.

SUPPLEMENT

To the acts relating to incorporations by the Courts of Common Pleas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any court of common pleas of the proper county to hear the petition of any corporation under the seal thereof, by and with the consent of a majority of a meeting of the corporators, duly convened, praying for permission to surrender any power contained in its charter, or for the dissolution of such corporation; and if such court shall be satisfied that the prayer of such petition may be granted without prejudice to the public welfare, or the interests of the corporators, the court may enter a decree in accordance with the prayer of the petition, whereupon such power shall cease or such corporation be dissolved: *Provided*, That the surrender of any such power shall not in anywise remove any limitation or restriction in such charter; and that the accounts of the managers, directors, or trustees of any dissolved company shall be settled in such court, and be approved thereby; and dividends of the effects shall be made among any corporators entitled thereto, as in the case of the accounts of assignees and trustees: *Provided further*, That no property devoted to religious, literary, or charitable uses shall be diverted from the objects for which they were given or granted: *Provided*, That the decree of said court shall not go into effect until a certified copy thereof be filed and recorded in the office of the secretary of the commonwealth.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 309.

SUPPLEMENT

To an act more effectually to preserve the Public Grounds and Public Buildings of the Commonwealth, approved tenth day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person trespassing on the grass-plots of the public grounds,

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in the borough of Harrisburg, or who shall stone birds, hunt birds with dogs, or in any other manner, or throw stones within or into the public enclosures, or who shall be found climbing trees or fences on said grounds, cutting or defacing shrubbery, trees or buildings, or in any way deranging or putting out of place any of the gates, fixtures or implements belonging thereto, or any persons who shall gather in noisy or boisterous crowds, either on the capitol grounds or in the capitol, or refuse to disperse and leave on notice of the superintendent and watchman, and all persons of either sex, known to be mischievous or immoral, who may be ordered to leave the public buildings or grounds, and who shall refuse so to do, shall each and every of them, on conviction before any magistrate, justice of the peace of the county of Dauphin, or the burgess of the borough of Harrisburg, be subject to the penalty or penalties imposed by the act to which this is a supplement: *Provided*, That all penalties recovered under this act shall be paid into the state treasury of this commonwealth.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 310.

AN ACT

Relative to Commissioners of Deeds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all commissions hereafter issued for the appointment of commissioners to take acknowledgment and proof of deeds and instruments under seal, depositions and other papers, under and by virtue of the act of assembly of the fourteenth of April, one thousand eight hundred and twenty-eight, and its supplements, shall continue in force for five years from their date, and no longer, and may be revoked at any time by the governor; and shall each be subject to a tax of five dollars, which shall be paid to the secretary of the commonwealth at the time of issuing the commission, and accounted for as provided by law in the case of other fees.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 311.

A SUPPLEMENT

To an act incorporating the borough of Newport.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the lines of the borough of Newport, in the county of Perry, be extended so as to include the mills and residence of John Kibler, and the farms of Catharine Loy, Samuel Leiby, Benjamin Himes, Isaiah Corl, and so much of the land of John Fickes as lies south of the Ickesburg road, including said road, the land of John Keim and Robert Taylor, and the river road opposite said Taylor's lands; and hereafter to be subject to the laws and regulations of said borough.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 312.

AN ACT

To incorporate the Reading and Lehigh Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hiester H. Muhlenberg, William Strong, George M. Lauman, William M. Baird, Horatio Trexler, William M. Hiester, Edward M. Clymer, George D. Stitsel, Charles H. Hunter, Jacob Erdman, John D. Lauall, Charles Ritter, Jacob Dillinger, Samuel Lewis, David Thomas, Stephen Balliet, Charles A. Luckenbach, William Colder, junior, and Benjamin Tyson, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style, and title of the Reading and Lehigh railroad company, with power to construct a railroad from a point at or near the junction of the Lebanon Valley and Philadelphia and Reading railroads, in the city of Reading, in the county of Berks, to any point on the railroad of the Lehigh Valley railroad company, either in the county of Lehigh or Northampton; and the

Commissioners.

Style.

Route.

Subject to.	said railroad company shall be entitled to all the privileges, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroads," approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine, except so far as is otherwise provided by this act.
Capital stock	SECTION 2. That the capital stock of said company shall be five hundred thousand dollars: <i>Provided</i> , That the said company may from time to time, by vote of the stockholders, increase their capital stock, if it should be deemed expedient, to an amount sufficient to complete said road, and to carry out the true intent and meaning of this act.
May borrow money	SECTION 3. That the directors of said company may borrow money to an amount not exceeding one million of dollars, and issue their bonds therefor, in sums of not less than one hundred dollars each, bearing any rate of interest not exceeding seven per centum per annum, and secure the payment of the principal and interest of said bonds by a mortgage or mortgages upon the road, property and franchises of said company; and the said directors may make the said bonds convertible into stock, at par, if such course be deemed advantageous to said company.
Damages.	SECTION 4. That in all cases where the said company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be, that the company will pay or cause to be paid such amount of damages as the party shall be entitled to receive, after the same shall have been agreed on by the parties, or assessed according to law: <i>Provided</i> , That in case the party or parties claiming damages refuse to accept the bond or bonds tendered by the said company, the said company may, in any such case, present their bond or bonds to the court of common pleas of the proper county, or to any one of the judges thereof; and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of said court, for the benefit of those interested, whereupon the company may enter upon or take possession of such land and materials.
Connections.	SECTION 5. That the said company are hereby authorized to connect their road with any railroad which is now or may be hereafter constructed, at either end of said route; and the said Reading and Lehigh railroad company shall, within one year after the completion of their said road, construct a lateral road or branch to Kutztown, in Berks county; which said branch road shall not exceed five miles in length: <i>Provided</i> , That the citizens of the said borough of Kutztown shall subscribe one-half of the sum, which, by the estimate of a competent engineer, may be ascertained to be necessary for the construction and completion of said branch or lateral road.
Damages where owners of realty are minors.	SECTION 6. That in all cases in which the owners of lands and materials are minors, it shall and may be lawful for the guardian of such owners and the said company amicably to adjust the amount of damages to be paid, if they can agree; and on payment of the amount, it shall be lawful for such guardians to release said company from all claims therefor, and to execute all necessary papers in the premises. In case the said parties can not agree, the said company may proceed as is provided in the fourth section of this act.

Section 7. That the number of directors shall be eight, and five shall be a quorum to do business. Number of directors.

Section 8. That if the said company shall not begin their road within three years, and finish the same within five years after the passage of this act, then the same shall be null and void, except so far as the same shall be necessary to settle up the affairs and pay the debts of the said company. Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 313.

A FURTHER SUPPLEMENT

To the act to enable the trustees under the will of Catharine Yohe, deceased, to sell and convey certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustee or trustees, for the time being, under the last will and testament of Catharine Yohe, deceased, be and they are hereby authorized to mortgage any or all of the messuages and lots or pieces of ground, particularly described in the preamble to the fourth section of the said act to enable the trustees under the will of Catharine Yohe, deceased, to sell and convey certain real estate, passed the tenth day of April, Anno Domini one thousand eight hundred and forty-nine, and appearing on page five hundred and ninety-three of the pamphlet laws of one thousand eight hundred and forty-nine, in order to enable the said trustee or trustees to borrow such sum or sums of money as such trustee or trustees may deem necessary, and to execute to the lender or lenders of such sum or sums of money valid and sufficient conveyances of any or all of the messuages and lots or pieces of ground aforesaid upon mortgage; which said mortgage or mortgages is and are hereby declared to be absolute liens and incumbrances on the real estate described therein, freed and discharged of and from every trust, and without any obligation on the part of the lender or lenders of such mortgage moneys to see to the application thereof: *Provided,* That before the said trustee or trustees shall execute and deliver any such mortgage or mortgages, he or they shall give security in the orphans' court for the city and county of Philadelphia, to be approved by the said court, conditioned for the application of the mortgage moneys, as hereinafter provided: *Provided,*

LAWS OF PENNSYLVANIA,

That before any such mortgage or mortgages shall be so made by such trustee or trustees, the consent and concurrence, in writing, expressing the purpose or purposes to which the money shall be applied, of such one of the surviving children of the said Catharine Yohe, deceased, as may be interested in the particular message and lot mortgaged, shall first be obtained.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 314.

SUPPLEMENT

To an act to provide for an equitable division of the taxes paid annually by the Delaware Coal Company, towards the support of Common Schools.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso contained in the third resolution under resolution number ten, entitled "A resolution extending the provisions of the resolution of the twenty-fourth of June, one thousand eight hundred and thirty-nine, relative to the Lumberman's Bank of Warren, et cetera," approved the fifth day of April, one thousand eight hundred and forty-two, and so much of the aforesaid third resolution as relates to the Delaware coal company, as being relieved from any restrictions to which it may have been previously liable for purposes of education, together with an act, entitled "An Act to provide for an equitable division of a certain amount paid annually by the Delaware coal company, towards the support of two schools, according to the provisions of the resolutions of the fifth day of April, one thousand eight hundred and forty-two," approved the eighteenth day of April, one thousand eight hundred and fifty-five, be and the same are hereby repealed: *Provided,* That the said Delaware coal company is not released from any liability of taxation for school and other purposes of education, under the existing school laws of this commonwealth.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 315.

A FURTHER SUPPLEMENT

the act incorporating the Philadelphia and West Chester Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly, and it is hereby enacted by the authority of the same,* That ever and so long as the Philadelphia and West Chester Turnpike road company shall be unable to make and continue in air, throughout the whole extent of its line of road, an arterial road of stone or plank, twenty feet in width, or two arate tracks of plank, of eight feet in width, as required by acts of March twentieth, one thousand eight hundred and ty-eight, and April ninth, one thousand eight hundred and ty-nine, and at the same time afford to the stockholders a ar interest of six per centum per annum on the capital stock the said company, it shall be held sufficient that the company do make and maintain, in good order and condition, a nk road, of eight feet in width, or a stone road, of ten feet width, and adjoining either a well graded earthen road, of h width as that the whole width of road, clear of side ins, shall not be less than twenty feet throughout such portion or portions of the road wherein the president and managers the said company may, with reference to the public convenience, determine that a wider road of stone or plank may be at dispensed with, and to such extent as they shall find necessary to the end of affording a full remuneration of six per centum per annum to the stockholders, but subject to the condition, that all accumulations of income over such remuneration shall be wholly applied to the improvement of the road, its restoration to the condition required by the before named s, until such restoration is fully accomplished.

SECTION 2. That the legislature reserves the right to amend, or repeal this act, whenever in their opinion the public interest may require it, in such manner however as to do no justice to the corporators.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 316.

AN ACT

To incorporate the Wyoming Avenue Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Commissioners, John Gaulbert, John Foulkrod, Thomas J. Roberts, Jeremiah Hutchinson, John W. Hoffner, Charles M. Jackson, William Overington, Edward S. Schively, James Lynd, Edwin Smith, Reuben C. Hale, Harvey Roland, Joseph S. Lovering and John D. Logan, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name of the Wyoming Avenue plank road company, with power to construct a plank road or turnpike road, or each in part, from the Main street (formerly in the township of Germantown, now in the Twenty-second ward of the city of Philadelphia) somewhere between the southern boundary of said township and the point at which the said Main street is intersected by Wistar street, to Frankford street (formerly the borough of Frankford, now the Twenty-third ward of the city of Philadelphia) somewhere between the intersections of Adams street and Foulkford street with said Frankford street, over the bed of any public road or street, or over any private lands, or partly over one and partly over the other, with the privilege to make any paved street or streets in either of the said wards the terminus or termini of their road, without continuing said road to the Main street or the Frankford street aforesaid; also with the privilege of constructing a branch road to the Hunting Park, subject to, and with the privilege of all the restrictions, provisions, rights and powers (except such as may be inconsistent with this act) of an act, entitled "An act regulating turnpike and plank road companies," passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided,* That said road may be opened for a width not exceeding sixty feet either for the whole, or any part or parts of its route; and that said company may elect a vice president and ten directors, in addition to the officers authorized by the said act of assembly.

SECTION 2. That the capital stock of said company shall consist of six hundred shares, at twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders called for the purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road and carry out the true intent and meaning of this act: *And provided further,* That said road shall be commenced within two years, and finished within five years from the passage of this act, otherwise the same to be null and void, except so far as may be necessary to wind up the affairs of said company.

SECTION 3. That whenever said company shall have finished one mile or more of said road, they shall have power forthwith to erect gates and to collect tolls; which tolls shall not exceed

cents per horse per mile, for every horse led, ridden or
 ren over the same; but all fractions of a mile may be charged
 a one cent toll if under half a mile, and two cents if over
 a mile; the tolls shall in other respects, be such as are au-
 rized by the above mentioned acts of assembly.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thou-
 eight hundred and fifty-six.

JAMES POLLOCK.

No. 317.

A SUPPLEMENT

an act to incorporate the Hollidaysburg Water and Gas Company, ap-
 proved the sixteenth day of March, one thousand eight hundred and
 fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Represen-
 tatives of the Commonwealth of Pennsylvania in General Assem-
 bly met, and it is hereby enacted by the authority of the same, That*
 the provisions of the act to which this is a supplement be
 they are hereby extended to the borough of Gaysport, in
 county of Blair; and the said Hollidaysburg water and gas
 company are hereby authorized to erect their water and gas
 works, or either of said works, in or near the said borough of
 Gaysport.

SECTION 2. That the business of the said corporation shall
 be managed by a president, secretary, treasurer and three man-
 agers, who shall be elected by the stockholders, on the first
 Monday of June next, and annually thereafter on the same day
 of each year; and until such election takes place, any three of
 the incorporators mentioned in the act to which this is a supple-
 ment, shall be a quorum, for the purpose of organizing said
 company, opening books, taking subscriptions of stock, and
 making such other regulations as the interests of said company
 may require; and that the name of Jesse R. Crawford be added as
 one of said incorporators.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thou-
 sand eight hundred and fifty-six.

JAMES POLLOCK.

No. 318.

SUPPLEMENT

To the act incorporating the North Western Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the North Western railroad company are hereby authorized to increase their capital stock one million of dollars, such increase of capital to be subject to all laws controlling the capital stock of said company; and said company are also hereby empowered to secure the payment of any or all bonds issued by said company by a mortgage or mortgages upon their road, or any part thereof, with its franchises, as they may deem necessary.

SECTION 2. That it shall be lawful for any railroad company now incorporated, or which may hereafter be incorporated, and with which the North Western railroad company may connect their road, or with which the said company may make mutual arrangements for carrying of freight or passengers, to endorse the bonds of the said North Western railroad company, and such endorsements shall be deemed good and valid: *Provided*, That no company shall have power to endorse the bonds issued by the North Western railroad amounting in value to more than one million of dollars: *Provided further*, That this section shall not go into effect until the consent of parties representing a majority of the stock of the respective companies endorsing said bonds be first had and obtained.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 319.

A SUPPLEMENT

To an act passed the second day of March, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act to erect a new county of part of Union, to be called Snyder."

Preamble.

WHEREAS, By an act of assembly passed the second day of March, Anno Domini one thousand eight hundred and fifty-five, a new county was erected out of part of Union and called Snyder.

der; and in said act no provision was made for the transfer to said county of Snyder, of the unfinished business properly belonging to said county of Snyder, remaining in said county of Union; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the register of wills of said county of Union shall, and he is hereby required, as soon as conveniently can be done after the passage of this act, to procure a suitable docket, and therein certify by a general certificate the granting of all letters of administration; and all letters testamentary, granted by the register of Union county where no final account has been heretofore filed, and where the decedent or testator died in the present county of Snyder, and transfer the same to the register of wills in and for said county of Snyder, together with all bonds, renunciations, and other papers filed by such executors or administrators.

Duty of register of Union county.

SECTION 2. That the clerk of the said orphans' court of Union county shall also, in like manner, certify to the clerk of the orphans' court of Snyder county all guardian appointments, where the same would have been appointed in said county of Snyder had the same been then in existence; and also all bonds, accounts, or other papers filed by such guardians: *Provided,* That the same be not finally closed up and ended. So also all other business now pending in said orphans' court where the decedent died in the said county of Snyder.

Duty of clerk of orphans' court of Union county.

SECTION 3. That the clerk of the court of quarter sessions of said county of Union shall also, in like manner, certify all road and township matters now pending in said court of Union county, to the clerk of the quarter sessions of Snyder county.

Duty of clerk of quarter sessions of Snyder county.

SECTION 4. That the several courts of the said county of Snyder and the proper officers thereof, shall have full jurisdiction to carry out, complete, try, or enforce all the said matters the same as if they had respectively been commenced in said county of Snyder.

Jurisdiction of Snyder county.

SECTION 5. That the commissioners of said county of Union shall also, in like manner, certify and transfer to the commissioners of Snyder county all entered taxes, whether upon seated or unseated lands, in said county of Snyder; and the commissioners of Snyder county are hereby authorized to collect the same according to law.

Duty of commissioners of Union county.

SECTION 6. That the expense of all the dockets and certificates, and of making out the said records, shall be paid by the county of Snyder, the amount thereof to be first ascertained, determined, and allowed by the judges of the courts of said county, when presented to them by the proper officer making such certificates.

Expenses, how paid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 320.

AN ACT

To change the time of holding the courts in Warren county for June term, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the June term of the several courts in Warren county, for the present year, shall commence and be held on the first Monday in July, instead of the first Monday of June, and be continued as long as may be necessary to dispose of the business of the said courts; that all recognizances, summonses, process, writs, and every thing pertaining to said courts, whether already taken or issued, or hereafter to be so, and made returnable on the first Monday of June, shall be and hereby are continued and appointed for the first Monday of July.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 321.

A SUPPLEMENT

To the acts providing for the entering of satisfaction on Judgments and Mortgages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter in all cases where the amount due on any mortgage or judgment entered of record, together with interest and cost, shall have been paid to the legal holder or holders thereof, and the judgment bond, or note, or mortgage, together with the accompanying bonds, if any, duly endorsed in the presence of two witnesses, that the same are satisfied and discharged, shall be produced to the prothonotary or recorder having charge of the records of such mortgages and judgments respectively, it shall be the duty of such officer, for the fee of seventy-five cents in the case of a mortgage, and twenty-five cents in the case of a judgment, to enter satisfaction on the record of such liens, and to file among the papers in their respective offices the judgment, notes,

bills, mortgages and bonds respectively, which shall remain filed thereafter, for the benefit of all parties interested therein: *Provided*, That no such satisfaction shall be entered until after a certificate from the president judge or the district judge of the proper county allowing the same, which certificate shall also be produced and filed with the papers as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 322.

AN ACT

Relative to the time of holding the several Courts of Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the several courts of Clearfield county shall hereafter be held on the third Monday of May, August, November and January, and continue one week each, if necessary.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 323.

AN ACT

To incorporate the Home for destitute Colored Children.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Richard Richardson, Samuel Jeanes, Dillwyn Parrish, John Wil-

LAWS OF PENNSYLVANIA,

son Moore, John W. Claghorn, John M. Ogden, John J. White, Francis Hoskins, Alfred R. Pottes, Morris L. Hallowell, and their associates, be and they are hereby incorporated and made a body politic in law, by the name, style and title of "The Home for destitute colored children," and by that name, style and title shall have perpetual succession, with the same powers, privileges, liabilities and restrictions, as are contained and expressed in the act, entitled "An Act to incorporate the Northern Home for friendless children," passed the twenty-sixth of January, one thousand eight hundred and fifty-four: *Provided*, That the powers hereby conferred on the said the Home for destitute colored children, shall be applicable to the guardianship of colored children exclusively.

SECTION 2. That the members of the said corporation shall meet on the second Monday of May next, at such hour and place as they may designate, and elect their board of managers in the manner prescribed by the said act to incorporate the Northern Home for friendless children.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 324,

A SUPPLEMENT

To the act incorporating the Easton, Belvidere, Delaware Water Gap and Stroudsburg Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Easton, Belvidere, Delaware Water Gap and Stroudsburg telegraph company are hereby authorized to extend their line from Easton, via Doylestown and Norristown, to Philadelphia, or to any of the intermediate points: *Provided*, A majority of the stockholders agree so to do.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

No. 325.

AN ACT

Providing compensation to John Montgomery, James W. Mahan, J. R. Smith and others, for services rendered and expenses incurred in the arrest of certain horse thieves.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the court of quarter sessions of the peace of Westmoreland county be and they are hereby authorized to appropriate to James W. Mahan, J. R. Smith, and such others as may have assisted in the recent arrest of John Brown and sundry of his confederates, on a charge of stealing horses in said county and counties adjoining, so much of the one thousand dollars arising from the forfeited recognizance of said Brown, and such proportions among the several persons who may claim the same, as the said court may consider a fair and reasonable compensation for services rendered and expenses incurred in making said arrests: *Provided,* That the money now in the hands of the sheriff shall remain so until after the decree of the court.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 326.

AN ACT

Appointing Commissioners to lay out and open a State Road in the counties of Elk and Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James L. Gillis, Levi G. Clover, and James Moorhead are hereby appointed commissioners for the purpose of laying out, opening and making a state road, commencing at or near the farm of William M. Clyde, in Warsaw township, Jefferson county, to a point at or near the mouth of Little Toby creek, in Elk county: *Provided,* That the powers and authority hereby given to said commissioners shall continue for five years and no longer.

Commissioners.

Route.

- Draft.** SECTION 2. That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of the counties of Jefferson and Elk; and when so filed, said draft and the record thereof shall be legal evidence in all things relating to the same; and said road from thence is hereby declared to be a public road in the same manner as other roads laid out and opened by the proper township officers.
- Quorum.** SECTION 3. That any two of said commissioners shall be deemed a quorum and sufficient to do anything authorized to be done by this act; and in case of the death, resignation, or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of Jefferson county shall appoint a person or persons to supply the vacancy.
- Vacancies.** SECTION 4. That said commissioners shall annually settle their accounts with the auditors of the county of Jefferson, and shall be allowed a reasonable compensation, not to exceed one dollar and fifty cents each, per day, for the time they shall be engaged in laying out, opening and making said road.
- Annual accounts.** SECTION 5. That the commissioners of the county of Jefferson are hereby authorized and required to pay to said commissioners, one-half the sum necessary to defray the expenses of locating said road out of the county funds, by orders drawn on the county treasurer; and that the commissioners of Elk county are hereby authorized and required to pay to the aforesaid commissioners, one-half the sum necessary to defray the expenses of locating said road out of the county funds, by orders drawn on the county treasurer.
- Pay.**
- Expenses, how paid.**

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 327.

A SUPPLEMENT

To an act to incorporate the Skippack and Salfordville Turnpike Road Company, in Montgomery county, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the place for the commencement of the Skippack and Salfordville turnpike road be at the line dividing the townships of Wqr-*

cester and Whitpain, in the said county of Montgomery; and that the annual elections for officers of said company shall hereafter be held on the first Saturday of November, instead of the first Monday in November.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 328.

AN ACT

Relating to the Philipsburg Coal and Lumber Company.

WHEREAS, On the first day of August, Anno Domini one thousand eight hundred and fifty-five, James E. Montgomery, of Philipsburg, Centre county, Pennsylvania, did sell and convey all his right, title and interest in and to certain tracts of lands, lying along or in the vicinity of the Cold Stream, in Rush township, Centre county, state of Pennsylvania, near the village of Philipsburg, comprising part of three sub-tracts of the Philipsburg estate, numbered respectively fifty-three, seventy-seven and seventy-five, and bearing the warrantee names of Hugh M'Intyre, James Morrison and Martin Meyer, together with the property lying below tract number seventy-five and along the Philipsburg and Bellefonte turnpike road to Philipsburg, comprising about eleven hundred acres; the said tracts of land being more particularly described in the conveyance made to one James E. Montgomery by George D. Morgan: Preamble.

And whereas, The said company was not at that time fully organized; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said sale is hereby confirmed, and declared binding and valid: *Provided,* That the said James E. Montgomery and a majority of the present stockholders shall accept this act; upon which the recorder of Centre county shall record the said conveyance, as well as this act, in the office for recording of deeds in and for Centre county, in a suitable book or books, where the same can be open to the inspection of any person desiring to examine the same. Sale confirmed.

SECTION 2. That the officers of the Philipsburg coal and lumber company shall, within four months after the approval of this act, call a meeting of the stockholders of the company, Meeting of stockholders to be called.

and if two-thirds of the stockholders are present, or represented, they shall proceed to hold an election of directors and officers; and the stockholders, at said meeting, shall have authority to pass such by-laws and rules as they may deem necessary for the regulation of the affairs of the company; and they shall have full power and authority to prescribe the number of directors that shall be elected, and to confer upon them such powers, and to enjoin upon them the performance of such duties, as they may deem advisable; and it is hereby provided, that the said company may, at any time hereafter, purchase real estate in the counties of Centre or Clearfield, not exceeding one thousand acres in addition to the tracts of land upon which the company is now located; and the said company may hold elsewhere such lot or lots of land, not exceeding ten acres, as may be found necessary as places of deposit in the transportation and the sale of the coal and lumber mined and manufactured by them.

By-laws. **Directors.** **Real estate.** **May sell real estate.** **Borrow money.** SECTION 3. That the said company shall have full power to sell and convey, in their corporate capacity or by trustee, in fee simple or otherwise, the whole or any part of the real estate upon which the company is located, as described in this act, or any that they hereafter purchase according to the provisions of this act; or it shall be lawful for them to lease to any person or persons, for one or more years, any real estate which they may hold, on such terms as may be agreed upon: *Provided*, That the said company, with the consent of a majority of the stockholders, may borrow or loan any sum of money, not exceeding two hundred and fifty thousand dollars, on bonds secured by mortgage of the whole or any part of the lands, railroads, mills or other property belonging to the company, and the corporate privileges thereto belonging, upon such interest as shall be agreed upon.

And pay interest. SECTION 4. That the said company are hereby authorized to pay the stockholders, semi-annually, three per cent. interest on the amount paid, either in full or for instalments on the stock of the company: *Provided*, That no stockholder who has neglected, or who shall hereafter neglect to pay up any instalments that has been or may be called for, shall be entitled to receive interest as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 329.

AN ACT

To authorize the School Directors of the borough of Venango to borrow money, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Venango, in the county of Crawford, are hereby authorized to borrow any sum of money not exceeding fifteen hundred dollars, and issue bonds for the same in sums not less than twenty-five dollars each, bearing a rate of interest not exceeding six per centum per annum. *Borrow money.*

SECTION 2. That in order to provide for the payment of the principal and interest of the said bonds, the said school directors are hereby authorized and empowered, in addition to the tax now authorized by the common school laws of this commonwealth, to levy a tax to be assessed on the last adjusted valuation on the real and personal property of said borough, for state and county purposes, annually, till the said bonds are fully liquidated and no longer: *Provided,* That the said tax shall be assessed in amounts as nearly equal for each year as is practicable, and be collected in not less than three nor more than five years. *And levy tax to pay same.*

SECTION 3. That it shall be the duty of the school directors of the said borough, judiciously to expend the money realized from said bonds, in purchasing grounds, building materials, and procuring labor to build a public school house for the accommodation and use of the common schools of said borough; and it shall be lawful for the said school directors to permit the use of any part of said building for any purpose, until such time as the entire occupancy thereof shall be required for common school purposes; and any rents or profits arising therefrom shall be added to and form part of the common school fund of said borough. *How money to be expended.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 330.

AN ACT

Authorizing the payment of certain Coupons represented to have been stolen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby authorized to pay to the Southwark Bank the sum of two hundred and twenty-five dollars, that being the amount of nine coupons, of twenty-five dollars each, attached to bonds of the commonwealth, numbered respectively, one thousand three hundred and twenty-one to one thousand three hundred and twenty-nine, both numbers inclusive; which coupons are presumed to have been stolen from a letter broken open before it was received, and in which they were inclosed and mailed by the Bank of the State of New York, directed to the Southwark Bank of Philadelphia: Provided, That before such payment to the Southwark Bank, said bank shall give a bond to the commonwealth; to be approved by the auditor general and filed in his office, for the re-payment of such sum, in the event of the payment of said coupons being demanded and received from the commonwealth or its agents, by the holder or holders thereof.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 331.

AN ACT

To authorize the School Directors of the borough of West Pittsburg, Allegheny county, to select sites for School Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever the board of directors of West Pittsburg, in Allegheny county, shall be unable to procure such eligible points for the*

erection of school houses thereon as they may deem expedient, by agreement with the owner or owners of the land, it shall and may be lawful for the board of directors, in behalf of the district, to enter upon and occupy sufficient ground for the purpose which they shall designate, and mark off, not exceeding in any case, one half of an acre, and to use and occupy the same for the purposes of a school house, with its necessary or convenient appurtenances; and for all damage done and suffered, or which shall accrue to the owner or owners of such land by reason of the taking of the same for the purposes aforesaid, the funds of the district which may be raised by taxation, shall be pledged and deemed as security; and it shall and may be lawful for the court of common pleas of the said county, on application thereto by petition, either by the said school district through the president and secretary of the board of directors, or by the owner or owners of said land, or any one of them in behalf of all, to appoint a jury of viewers, consisting of three discreet and disinterested citizens of said county, who shall not be the owners of the property or residents in the school district of West Pittsburg, and appoint a time not less than twenty nor more than thirty days thereafter, for said viewers to meet upon said land, of which time and place ten days' notice shall be given by the petitioners to the said viewers, and the other party; and the said viewers, or any two of them, having been first duly sworn or affirmed faithfully, justly and impartially to decide, and a true report to make concerning all matters and things to be submitted to them, and having viewed the premises, they shall establish and determine the quantity and value of said land so taken to be used for the purposes aforesaid; and after having made a fair and just computation of the advantages and disadvantages, they shall estimate and determine whether any, and if any, what amount of damages has been or may be sustained, and to whom payable, and make report thereof to the said court; and if damages be awarded and the report be confirmed by the said court, final judgment shall be entered thereon; and if the amount thereof be not paid within thirty days after the entry of such judgment, execution to enforce the collection thereof may be issued, as in other cases of judgment against school districts; and each viewer shall be entitled to one dollar and fifty cents per day for every day necessarily employed in the performance of the duties herein prescribed, to be paid by such school district.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 320.

AN ACT

To change the time of holding the courts in Warren county for June term, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the June term of the several courts in Warren county, for the present year, shall commence and be held on the first Monday in July, instead of the first Monday of June, and be continued as long as may be necessary to dispose of the business of the said courts; that all recognizances, summonses, process, writs, and every thing pertaining to said courts, whether already taken or issued, or hereafter to be so, and made returnable on the first Monday of June, shall be and hereby are continued and appointed for the first Monday of July.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 321.

A SUPPLEMENT

To the acts providing for the entering of satisfaction on Judgments and Mortgages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter in all cases where the amount due on any mortgage or judgment entered of record, together with interest and cost, shall have been paid to the legal holder or holders thereof, and the judgment bond, or note, or mortgage, together with the accompanying bonds, if any, duly endorsed in the presence of two witnesses, that the same are satisfied and discharged, shall be produced to the prothonotary or recorder having charge of the records of such mortgages and judgments respectively, it shall be the duty of such officer, for the fee of seventy-five cents in the case of a mortgage, and twenty-five cents in the case of a judgment, to enter satisfaction on the record of such liens, and to file among the papers in their respective offices the judgment, notes,*

bills, mortgages and bonds respectively, which shall remain filed thereafter, for the benefit of all parties interested therein: *Provided*, That no such satisfaction shall be entered until after a certificate from the president judge or the district judge of the proper county allowing the same, which certificate shall also be produced and filed with the papers as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 322.

AN ACT

Relative to the time of holding the several Courts of Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several courts of Clearfield county shall hereafter be held on the third Monday of May, August, November and January, and continue one week each, if necessary.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 323.

AN ACT

To incorporate the Home for Destitute Colored Children.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Richard Richardson, Samuel Jeanes, Dillwyn Parrish, John Wil-*

No. 335.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Six Penny Saving Fund of Philadelphia," passed the fifth day of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the board of trustees of the Six Penny Saving Fund of Philadelphia shall not be required to elect more than two vice presidents, and that hereafter as vacancies shall occur in the said board by death, resignation or otherwise, the same shall not be filled by a new election until the number of trustees shall have been reduced to twenty, which said number shall thereafter be the whole number of trustees who shall manage and direct the affairs of said corporation; and five trustees shall constitute a quorum for the transaction of any business.

SECTION 2. And the said Six Penny Saving Fund of Philadelphia shall be and are hereby authorized (in addition to the investments and loans already authorized to be loaned by it) to invest in or loan on the public stock or loans of any of the states of the United States, or any of the cities or counties of this state or any other of the said states; also to invest in and loan on the stocks of any corporation chartered by the commonwealth.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 336.

SUPPLEMENT

To the charter of the Union Iron and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Union iron and coal company to convert the authorized loans of said company into stock at any time within five years after the passage of this act, with the consent

May convert loans
into stock.

the holders thereof: *Provided*, That upon the conversion of such bonds into the stock of said company, it shall be the duty of the company to pay into the state treasury, in four equal annual instalments, a bonus of one-half of one per centum on the amount so converted. Tax.

SECTION 2. That the provisions of the second section of an act, entitled "A supplement to the act incorporating the Pennsylvania coal company," approved the seventh day of March, one thousand eight hundred and forty-nine, be and they are hereby made applicable to the said Union iron and coal company, as fully as though they were herein set forth and enacted. Certain sections applied to this company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 337.

AN ACT

For the Relief of Mary Mann.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and required to pay Mary Mann, of Northampton county, widow of John Mann, a Revolutionary soldier, or to her order, a gratuity of forty dollars and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 338.

AN ACT

For the relief of Sarah Clingan, widow of a soldier of the Revolutionary wars and Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay Sarah Clingan, of Mercer county, widow of David Clingan, a soldier of the Revolutionary and Indian wars, or her order, a gratuity of forty dollars and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and half yearly thereafter on the first day of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 339.

AN ACT

For the relief of John Smith, a soldier in the Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to pay to John Smith, of Jackson county, Virginia, a soldier in the Indian wars, or his order, a gratuity of forty dollars and an annuity of forty dollars, during his natural life; said annuity to commence on the first day of January, Anno Domini one thousand eight hundred and fifty-six, and be payable semi-annually on the first days of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 340.

AN ACT

to authorize the managers of the Allegheny Cemetery to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Allegheny cemetery, in the county of Allegheny, be and they are hereby authorized to sell and dispose, either at public or private sale, so much of the ground purchased by them for burial purposes as has been severed and detached from the general inclosure of said cemetery, by reason of the recent opening of the public road from the Pittsburg and Greensburg turnpike road to the Sharpsburg ferry, on the Allegheny river, and lying east of the said public road, and to convey to the vender thereof such title as may be now vested in the said company; any thing in any act of assembly heretofore passed to the contrary notwithstanding.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 341.

AN ACT

To provide for the better regulations of Buildings in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the inspectors' fees shall be reduced one-third below the rate fixed in the act to which this is a supplement, and the penalties therein imposed shall be reduced fifty per centum below the amounts therein fixed, and be also applicable to any violation of the provisions of this supplement. *Fees and penalties reduced.*

SECTION 2. That the eighth section of said act shall be taken and construed to require the walls of buildings to be of the thickness therein required, when of the respective heights therein specified, without any reference whatsoever to the fronts or widths of said buildings. *Thickness of walls regulated.*

- Division walls regulated.** **SECTION 3.** That no party or division wall shall be built upon a wooden girder, except in the case of a party alley wall; where the alley shall not exceed four feet in width; and the act to which this is a supplement shall not be taken to prohibit wooden girders over piazzas, or any opening not exceeding six feet.
- Wooden girders allowed.** All privy wells, or other wells, or cess pools, near buildings, coming within the provisions of said acts, shall be securely arched or covered with stone. Every chimney shaft of such buildings shall be carried up in brick or other incombustible material, to a height of not less than three feet above the juncture of any part thereof with the roof. And the trenchers for the foundation walls shall be at least three inches below the surface of the cellar floor; and the ends of all joists of adjoining buildings shall be separated by an interposed brick and grouted with mortar.
- Privies.**
- Chimneys.**
- Joists.**
- Duty of inspectors** **SECTION 4.** That it shall be lawful and is hereby made the duty of the building inspectors, to inspect all walls and supports of buildings deemed dangerous, on the written request of any two citizens, upon giving forty-eight hours written notice of such intended visit to the owner thereof, or his agent; and if the same be found insufficient and dangerous, to order the removal or such alteration thereof as they may deem necessary for safety: *Provided*, That the owner may appeal within three days, by writing, to the board of surveys, when a majority of a quorum thereof shall speedily decide the matter, as provided by the twenty-seventh section of the act consolidating the city of Philadelphia; and if the decision of said inspectors or surveyors shall be against the sufficiency of such wall or supports, the owner shall forthwith comply with the decision given, and pay to the inspectors a fee of four dollars; and in case of appeal to the president of the board of survey, ten dollars for the use of the city; and if such owner makes default in complying with any decision so given, he may be compelled thereto, as provided by the act to which this is a supplement.
- Appeals.**

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 342.

A SUPPLEMENT

To an act to incorporate the Hopewell Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the power vested in the Hopewell coal and iron company, to take and hold land and real estate in fee simple on Broadtop, shall be and the same is hereby confined to land and real estate in the townships of Broadtop and Hopewell, in Bedford county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 343.

AN ACT

Relating to the Foster Home.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Foster Home, of the city of Philadelphia, shall have the same power that the Northern Home for friendless children has, to take the guardianship and bind out as apprentices children placed under the care of said Foster Home.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 344.

AN ACT

Relative to Meadow Lane.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that portion of Meadow Lane, in the borough of Harrisburg, between Market and Chesnut streets, which has been heretofore

LAWS OF PENNSYLVANIA,

granted by the town council of said borough to the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company, for the purpose of erecting a suitable depot, be and is hereby vacated as a highway, and the said grant ratified and confirmed to the use of the said company, as fully as was intended by the said town council.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 345.

A SUPPLEMENT

To an act incorporating the Western Saving Fund Society of Philadelphia, approved the eighth day of February, eighteen hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the board of managers of the "Western Saving Fund society" to fix and determine the rate of interest to be paid to depositors therein, not exceeding six per centum per annum, and nothing contained in the act to which this is a supplement shall be so construed as to prohibit said society from paying its depositors on demand, or on shorter notice than two weeks.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 346.

A N A C T

Supplemental to the acts incorporating the Pittsburg and Connellsville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any defect or irregularity in the proceedings of the commissioners appointed by the several acts of assembly incorporating the Pittsburg and Connellsville railroad company, in taking subscriptions to and organizing said company, and any defect or irregularity in the proceedings of the board of directors of said company, in organizing and conducting the affairs of the same, so far as the said defect or irregularity may have proceeded from the neglect or omission of the said commissioners or board of directors fully to comply with the requisitions of the said acts of incorporation and their supplements, be and the same are hereby remedied and supplied; and that the charter of incorporation of said company shall not be affected or invalidated in consequence of such omission or neglect, by said commissioners or board of directors to comply fully with its requirements.

Certain acts validated.

SECTION 2. That whenever it shall be necessary for said company to enter in and upon, and occupy for the purpose of making said railroad, any land upon which the same may be located, if the owner or owners of the land shall refuse to permit such entry or occupation, and the parties can not agree on the amount of damages claimed, the company shall tender a bond, with sufficient security, to the party claiming the damages, the condition of which shall be, that the company will pay or cause to be paid such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed agreeably to the provisions of the act of assembly prescribing the mode of ascertaining the same. That in case the party or parties claiming damages refuse to accept the bond as tendered by the company, the company shall, in every such case, present the bond to the court of common pleas of the proper county, and if the court approve of the security, shall direct the same to be filed for the benefit of those to whom it is given, which bond shall be answerable, as all other debts, for the amount of the damages assessed, if the same be not paid in a reasonable time after such assessment; and the said company, their agents or contractors for making or repairing the said road, may immediately enter upon and use the said land, without awaiting the issue of the proceedings to determine the damages.

Damages, how ascertained in certain cases.

SECTION 3. That in all cases where viewers have been or may hereafter be appointed, in pursuance of the acts of assembly relating to said company, for the purpose of assessing damages, one or more of said viewers shall have power to adjourn from day to day, and a majority of the said viewers so appointed shall have power to view and assess damages and report as fully

Viewers and their powers.

LAWS OF PENNSYLVANIA,

Penalty for not acting as a viewer and with like effect as though all were present: *Provided*, That a penalty of ten dollars be imposed on any of the said viewers who shall neglect or refuse to attend after appointment and due notice at the time and place named, unless unavoidably prevented, said penalty to be recoverable before any justice of the peace as debts of similar amount are recoverable, for the use of the person suing for the same.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 347.

A SUPPLEMENT

To an act concerning certain sheriffs' and coroners' sales, and for other purposes, approved April sixteenth, Anno Domini one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of the proviso to the ninth section of the act to which this is a supplement, as limits the amount of compensation of the coroner of Philadelphia city, be and the same is hereby repealed: *Provided however*, That the fees to be received by said coroner for his own services, shall not exceed the sum of twenty-five hundred dollars.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 348.

AN ACT

To confirm the sale of certain real estate in Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title of Benjamin Maule, and his heirs and assigns, in and to all that certain messuage or tenement and tract or piece of land situate in the township of Radnor, in the county of Delaware, and state of Pennsylvania, bounded by lands of H. Jones Brooke, Charles T. Wilson, Hiram Cleaver, by a public road, by land of William Siter, by land of Isaac Peters, and by lands late of Pugh Davis, deceased, containing ninety-one acres and sixty-three square perches of land, more or less, (being the same premises which Thomas Maule and Benjamin Maule, executors of the last will and testament of Benjamin Maule, senior, late of Radnor township aforesaid, deceased, by their indenture, dated the first day of April, Anno Domini one thousand eight hundred and forty-five, granted and conveyed to George Maris, who by deed dated the same day and year, and recorded in the recorder's office in and for said county of Delaware, in Deed Book W, page five hundred and thirty, et cetera, granted, sold and conveyed said premises to said Benjamin Maule, one of said executors in fee,) shall in nowise be impeached, denied, questioned, invalidated or impaired by reason of said Benjamin Maule being an executor as aforesaid, or because the fact doth not appear that said sale, made by said executors, was a public sale; but the said purchase and conveyance to him, and the title to the said premises, shall be and remain firm, stable and indefeasible to the said Benjamin Maule, his heirs and assigns, as if he had never been executor as aforesaid: *Provided,* That the orphans' court of Delaware county, upon petition therein filed, shall be satisfied that the purchase money of said premises has been fully accounted for, and affirm such sale.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 349.

A N A C T

For the relief of Elizabeth Sprott, widow of a soldier of the Revolution and Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Elizabeth Sprott, of Lawrence county, widow of John Sprott, a soldier of Revolution and Indian wars, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and payable half-yearly thereafter on the first days of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 350.

A N A C T

Extending the time for purchasing a farm for the employment of the Poor in Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the purchase of a farm for the employment of the poor in Indiana county shall be extended until the first day of February, Anno Domini one thousand eight hundred and fifty-seven: *Provided,* That the voters of said county shall, on the day of the general election in October next, determine by a majority of votes in favor of the erection of a poor house for said county, the ballots to be labelled "Poor house" on the outside, and to contain the words, "For poor house" or "Against poor house" on the inside: *And provided further,* That the

sheriff of said county shall give notice accordingly in his general election proclamation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 351.

A FURTHER SUPPLEMENT

To an act to incorporate the West Chester Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the annual election for officers of the West Chester gas company shall hereafter be held on the first Wednesday in February, and the dividends thereof declared on the third Monday of January and July of each year.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 352.

AN ACT

For the relief of James Flanagan, of the city of Philadelphia.

WHEREAS, James Flanagan, of the city of Philadelphia, was deprived of his eyesight on the twenty-ninth day of June, one thousand eight hundred and fifty-five, on the Columbia and Philadelphia railway, whilst in the service of the state, and at the time in the performance of his duties as fireman, by the explosion of the locomotive engine called "Governor;" therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to James Flanagan the sum of one hundred dollars per annum during his natural life, payable semi-annually, commencing January first, one thousand eight hundred and fifty-six.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 353.

AN ACT

To lay out a State Road in Allegheny and Butler counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Commissioners.	Colonel Thomas Neel and Robert Norris, of Allegheny county, and James Woods, of Butler county, be and are hereby appointed commissioners to lay out a state road, commencing at the Allegheny and Butler plank road, at or near Samuel Hill's, in Allegheny county, to intersect the Pittsburgh and Kittanning road, at or near where it crosses Bull creek, in Butler county, who, after being duly sworn or affirmed to perform the duties hereby enjoined, shall view, lay out and locate a road between the said points, and having due regard to directness and facility of traveling, they shall clearly and distinctly mark the said road; and having viewed and located the same, the said viewers shall make out two correct drafts or plots of the same, and shall file one in the court of quarter sessions of Allegheny county, and the other in the court of quarter sessions of Butler county; and from thence the same shall become a public highway; and it shall be the duty of the respective supervisors to open the same with all convenient speed, to the width of forty feet, to be kept in repair as other highways in said counties; and the said commissioners shall meet on or before the first day of June next, to discharge the duties imposed on them by this act.
Route.	
Drafts.	
To be opened.	

SECTION 2. That the said commissioners shall receive the sum of one dollar and fifty cents per day, for every day they shall be engaged in performing the duties imposed on them by this act; and two chain bearers and axemen the sum of one dollar per day each, while so engaged, to be paid out of the county treasuries of Allegheny and Butler counties, in proportion to

with impartiality and fidelity, shall proceed to view the present road, and parts adjacent between the aforesaid points, and lay out the same as near the route of the existing road as the requisite improvement of said road will admit; the vertical departure from a horizontal line at no place to exceed four degrees, except at crossings of streams and ravines, where by moderate excavations, filling or bridging the declination of said road may be preserved within that limit. Duties.
Grade.

SECTION 3. That the said commissioners shall, with as little delay as possible after said survey, make drafts of said road as located by them, on which shall be noted the courses and distances, the crossing of streams, of county and township lines, and the improvements through which said road may pass; one of which shall be forwarded to the secretary of the commonwealth, to be filed in his office as a matter of record, and one to be filed in the office of the clerk of the court of quarter sessions of the respective counties through which said road may pass. And the said clerks are hereby authorized, upon the filing of said drafts, to issue orders to the supervisors of the several townships through which said road may pass for the immediate opening thereof. Drafts.

SECTION 4. That it shall be the duty of the supervisors of the townships aforesaid, to proceed to open and make said road as other roads are opened and made; and on failure so to do, the said supervisors respectively shall forfeit and pay a sum not less than fifty dollars, to be recovered as debts of a like amount are by law recoverable; suit to be brought in the name of the commonwealth, and the money arising therefrom to be appropriated to the use of said road. Opening of road.

SECTION 5. That the said commissioners shall have power to vacate any road or parts of roads that may be supplied or rendered useless by the location of the road authorized by this act. May vacate roads

SECTION 6. That the commissioners, axeman and chain carriers shall be allowed two dollars per day each, and if one of the said commissioners shall act as surveyor, he shall be allowed two dollars and fifty-cents per day. The accounts of said commissioners, chain carriers and axeman shall be adjusted by the county commissioners of the counties through which said road may pass, and be paid out of the treasuries of the same, according to the time actually employed within their respective counties. Pay.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

January next, and one copy each in the office of the clerk of the court of quarter sessions of the respective counties through which said road is located on the line aforesaid, or sooner if practicable; said road shall then be opened and repaired as all other roads laid out by the courts are made and repaired.

Expenses, how paid.

SECTION 4. That the commissioners shall draw on the commissioners of the counties through which the said road shall pass, who shall adjust the account of the commissioners, surveyor, chain bearers and axeman, and pay them as other accounts by orders on the treasurer of the county are paid: *Provided*, That neither of the said counties shall be liable to pay a greater proportion of said expense than for the work done and service rendered within the said county.

Meeting.

SECTION 5. That said commissioners shall meet on or before the first Monday of August next, or as soon thereafter as a majority of them shall agree upon, and complete the location of said road as soon as practicable; and if any vacancy shall occur by resignation or otherwise, it shall be filled by the judges of the court of quarter sessions of the county in which said person so resigning shall have resided.

Vacancies.

Road to be opened

SECTION 6. That it shall be the duty of the several townships through which said road shall pass, upon notice given, to proceed at once to open and make the said road as other roads are made.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 355.

AN ACT

Appointing Commissioners to review and lay out a State Road from Waynesburg, in Greene county, to Benjamin Covert's, in Fayette county.

Commissioners.

Route.

Meeting.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Joseph L. McConnel, James Hughes and Thomas Hill, be and they are hereby appointed commissioners, to review and lay out a state road from Waynesburg, in the county of Greene, by the way of Jefferson and Rice's landing to Benjamin Covert's, in Fayette county.

SECTION 2. That the said commissioners shall meet in Waynesburg, on or before the third Monday of May next, and appoint two chain carriers and one axeman; and after being duly sworn or affirmed to perform the duties enjoined upon them by this act

agency in paying for the amount of stock by them purchased of the corporation, or for other causes, and on all questions at the meetings of the corporation, the corporators present either in person or by proxy, shall severally have one vote for each share of stock held by them.

SECTION 5. That the managers shall continue in office until their successors shall be elected, shall elect a president from among themselves, shall supply vacancies in their number, whether occasioned by death, resignation, or refusal to act, and shall have the general and entire control of the affairs and interests of the company, except so far as may be otherwise provided by the corporators. Three members shall be a quorum at these meetings. Vacancies.

SECTION 6. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such. First managers.

SECTION 7. That if the said corporation shall at any time hereafter misuse or abuse any of the chartered privileges hereby granted, the legislature may at any time resume all and singular the rights, liberties, privileges and franchises hereby granted to the said company. Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 357.

AN ACT

Authorizing the State Treasurer to pay the claim of William Latherow.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized to pay to the administrators of William Latherow, late of Mifflin county, deceased, two hundred dollars, for damages sustained by the breaking down of a canal bridge, and thereby causing the death of two horses, as per award of the canal commissioners, dated February, one thousand eight hundred and fifty-three.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 358.

AN ACT

To repeal the first, second and third sections of an act, approved the twenty-sixth day of April, one thousand eight hundred and fifty, so far as the same relates to the township of Cass, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the qualified voters of the township of Cass, in the county of Schuylkill, shall annually, at their township election elect two supervisors, who shall make and keep the public roads in said township in repair, in the same manner that they were made and kept in repair prior to April twenty-sixth, one thousand eight hundred and fifty; and that the first, second and third sections of the act, approved April twenty-sixth, one thousand eight hundred and fifty, be and they are hereby repealed, so far as they relate to the township of Cass, in Schuylkill county: *Provided,* That the court of quarter sessions of said county shall have the power and authority, immediately after the passage of this act, to appoint one additional supervisor for the year one thousand eight hundred and fifty-six, who shall serve until the next ensuing township election.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 359.

AN ACT

Relating to abandoned and condemned Turnpike Roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case of either the abandonment of any turnpike road or of the condemnation thereof in the manner provided by law, and the company have either neglected or refused to keep their said road in repair for the space of five years, the courts of quarter sessions of the counties in which such roads shall be situated, shall have power, by view or review, to alter, change and vacate the said condemned or abandoned turnpike road in the same

manner of county and township roads; and whenever such change has been made in the manner aforesaid, the same is hereby declared to be as good and effectual as though made after the passage of this act.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 360.

A FURTHER SUPPLEMENT

to the act incorporating the Philadelphia and Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Philadelphia and Reading railroad company be and they be hereby authorized to guarantee the payment of the whole or any part of the bonds which the Lebanon Valley railroad company are now by law authorized to issue, or to make provision for the payment or investment of a sinking fund, which may be created by said company for the securing of the said bonds, and to receive for such guarantee, or for such investment or payment of said sinking fund, the stock of the Lebanon Valley railroad company at par, and to lease the railroad of the said Lebanon Valley railroad company for a term not exceeding ten years at any one time; said guarantee provision for a sinking fund and lease to be upon such terms and conditions as may be agreed upon by the directors of the two companies.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 361.

A FURTHER SUPPLEMENT

To the act incorporating the Marshall Savings Association of Philadelphia

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the board of directors of the Marshall savings institution of Philadelphia be and they are hereby authorized to loan the funds of the institution to their members, upon the capital stock thereof, and such other collateral securities as the said directors may deem ample and sufficient.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 362.

A SUPPLEMENT

To an act to authorize the Governor to incorporate the Wissahickon Turnpike Road Company.

Tolls.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the said Wissahickon turnpike road company may charge and collect toll on carts and wagons at the rate of one cent per mile for each horse drawing the same, without reference to the width of the wheels of such cart or wagon.

Fractional tolls.

SECTION 2. That when the fraction of toll is one-half of a cent or greater, the charge shall be for a whole cent; when less than one-half cent there shall be no charge for the fraction.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 363.

A N A C T

Relative to the charges of the Courts.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president judges of the several courts of common pleas of this commonwealth, shall in every case tried before them respectively, upon request of any party or attorney concerned therein, reduce the whole opinion and charge of the court as delivered to the jury to writing, at the time of the delivery of the same, and shall forthwith file the same of record.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 364.

A N A C T

To incorporate the Lackawanna and Lanesboro' Railroad Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That *Commissioners.*
George M. Hollenbach, Lewis Jones, Peter J. Du Bois, Horatio S. Peirce, William H. Richmond, George L. Morss and Augustus C. Laning, of Luzerne county; James Mumfort and C. P. Talman, of Wayne county; H. F. Ward and Thomas Phinny, of Susquehanna county; Joel Jones, Charles Humphreys, John Gibson Price, J. Patton, Abram Hart and Albert Gilmore, of the city of Philadelphia; Charles F. Welles, junior, and Gordon F. Mason, of the county of Bradford, or any seven of them, be and they are hereby appointed commissioners to open books, receive subscriptions and to organize a company by the name and style *Style.*
of the Lackawanna and Lanesboro' railroad company, with all the powers and subject to all the provisions of an act, entitled *Subject to.*
"An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall be *Capital stock.*
one million and a half of dollars, to be divided in thirty thou-

said shares of fifty dollars each; and the said company are hereby authorized to borrow money for the purpose of carrying out the objects of this act, in any sum or sums not exceeding one million of dollars, and to issue bonds or certificates of loan therefor, with or without coupons attached; and the directors of said company shall have power to give such bonds or certificates, such preference or security, by mortgage or otherwise, as they may deem advantageous to said company: *Provided*, That no bonds or certificates shall be given for a less sum than one hundred dollars, and that any rate of interest thereon not exceeding seven per centum per annum, as may be agreed upon, shall be lawful.

Route of road.

SECTION 3. That the said company shall have the right to build and construct the said railroad, commencing at any point in the Lackawanna valley between the south-westerly line of certified Providence and the city of Carbondale, in Luzerne county, thence by the best and most favorable route to connect with the New York and Erie railroad at or near Lanesboro', in Susquehanna county, and to connect with any railroad or other public improvement that now is or may hereafter be constructed at either end or any intermediate point in the line and route aforesaid, upon such terms and conditions as the said companies may agree upon, and with the right to build or construct branch roads not exceeding five miles in length in any instance.

Damages.

SECTION 4. That whenever the parties cannot agree upon the damages claimed, either for lands or materials taken by the said company in the prosecution of their work, the said company may tender a bond and proceed in all respects as is provided and specified in the second section of an act, entitled "A supplement to an act incorporating the Pennsylvania coal company," approved the seventeenth day of March, one thousand eight hundred and forty-nine.

Tolls.

SECTION 5. That whenever any section or sections of five miles of said road shall be completed, the said company may use and enjoy the same in the same manner as when the entire length thereof shall be completed.

Interest may be paid.

SECTION 6. That the president and directors of the said railroad company be and they are hereby authorized to pay to the shareholders entitled to receive the same, in the months of January and July in each year, interest at the rate of six per centum per annum on all instalments paid by them on their stock subscriptions, and continue to pay the same until the completion of said road; all the profits or earnings of said road within the same time shall be credited to the construction account, and the interest paid as aforesaid shall be charged thereto: *Provided*, That interest shall not be paid on any share of stock upon which any instalment due and called for remains unpaid: *Provided*, That the stock of said company shall not be subject to any tax, in consequence of the payment of the interest hereby authorized.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 365.

AN ACT

Directing the State Treasurer to pay the claims of Thomas Bingham and Company, John Cresswell and Son, and John Kennedy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be directed to pay Thomas Bingham and Company, for destruction of their cars and injury to cargo, at plane number four of the Allegheny Portage railway, in November, one thousand eight hundred and fifty-three, one thousand and forty dollars in full, as per report of the canal commissioners, dated April twentieth, one thousand eight hundred and fifty-five. Thomas Bingham & Co.

SECTION 2. That the state treasurer be directed to pay John Cresswell and Son, for damages to their boat and cargo, which occurred in the month of June, eighteen hundred and fifty-three, on the Juniata division of the Pennsylvania canal, the sum of two hundred and twenty-five dollars in full, as per award of canal commissioners, dated April seventh, one thousand eight hundred and fifty-five. John Cresswell & Son.

SECTION 3. That the state treasurer be directed to pay John Kennedy, for loss of two sections of his boat, and cargo, at plane number four on the Allegheny Portage railroad, on the twenty-fourth day of March, one thousand eight hundred and fifty-four, the sum of one thousand and five dollars and fifty cents, as per award of the board of canal commissioners, dated March fourteenth, one thousand eight hundred and fifty-five. John Kennedy

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 366.

AN ACT

To incorporate the Attleborough Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jesse Comfort, Jacob Hibbs, James Flowers, Charles Vansant,

Commissioners. Aaron Winder, M. D., Joseph C. Leaw, Marmaduke W. Allen, William Flowers, Alfred Marple, Lewis Appleton, William W. Blakey, Joshua Richardson, Simon Gillam, Isaac Paxon, Carey Longshore, John S. Mitchell, George H. Sellers, Joseph Eastburn, Jonathan Gillam, John C. Vansant, Caleb N. Taylor, Samuel C. Everitt, Aaron Tomlinson and Samuel Gillam, of Bucks county, and John Ely and B. Rush Plumly, of Philadelphia, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Attleborough railroad company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Style.
Subject to.
Capital. SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road, and to carry out the true intent and meaning of this act.

Route. SECTION 3. That said company shall have the right to build or construct a railroad, beginning at or near the village of Attleborough, in the county of Bucks, and thence by such practicable route, with moderate grades, as will, in the opinion of the president and directors of said company, most conduce to the public interest, and in such manner as to connect with the Philadelphia and Trenton railroad or the river Delaware, within the said county of Bucks, and which shall be completed, with one track, within ten years from the passage of this act.

Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 367.

AN ACT

To provide for the erection of a house for the employment and support of the Poor for the county of M^cKean.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same; That* Gideon Irons, William K. King, C. J. Moore, A. S. Arnold,

William Bell, Luther Davis, Henry Lasher, John M. Wright and J. F. Clark be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of August, Anno Domini one thousand eight hundred and fifty-six, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of M'Kean county; and it shall be lawful for said commissioners, or a majority of them, to take conveyances therefor in the name and for the use of the corporation mentioned in the third section of this act; and they shall certify their proceedings therein, under their hands and seals, to the clerk of the court of quarter sessions of M'Kean county, to be filed in his office; and at the next general election the qualified electors shall elect three reputable citizens of the said county to be the directors of the poor and of the house of employment for the county of M'Kean for the ensuing year; and the judges of the election of said county shall, immediately on receiving the returns from the several election districts and casting up the number of votes therein, or within three days thereafter, certify under their hands and seals the names of the persons so elected directors to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice, in writing, to the said directors of their being elected; and the said directors shall meet at the court house in the said county on the first Monday of November next ensuing their election, and divide themselves by lot into three classes; the place of the first to be vacated at the expiration of the first year; of the second, at the expiration of the second year, and the third, at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one-third may be chosen annually.

Commissioners.

Their duties.

Election for directors.

Their meeting.

SECTION 2. That every director elected in the manner aforesaid, or appointed as hereinafter directed, shall, within ten days after he is notified of said election or appointment, and before he enters on the duties of said office, take an oath or affirmation before any justice of the peace of said county, who is hereby authorized to administer the same, that he will discharge the duties of director of the poor for said county truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, and perform the duties aforesaid, he shall forfeit and pay the sum of ten dollars for the use of the poor of said county, which fine shall be recovered by the directors, for the time being, as debts of the same amount are or shall be by law recoverable; and the directors, qualified as aforesaid, are hereby authorized to administer oaths or affirmations in any case where it shall be necessary, in relation to the duties of their said office.

To be sworn.

Penalty for not serving.

May administer oaths.

SECTION 3. That the said directors and their successors shall forever hereafter, in the name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of M'Kean, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of "The directors of the poor and of the house of employment for the county of M'Kean," and by that name shall and may receive, take and hold any lands, tenements and hereditaments, not exceeding the

Privileges.

Real estate.

yearly value of ten thousand dollars, and any goods and chattels whatsoever, of the gift, alienation or bequest of any person or persons whatsoever; to purchase, take and hold any lands and tenements within their county in fee simple or otherwise, and erect thereon suitable buildings for the reception, use and accommodation of the poor of said county; to provide all things necessary for the reception, lodging, maintenance and employment of said poor; to appoint a treasurer annually, who shall give bond with sufficient surety for the faithful discharge of the duties of his office, and at the expiration thereof that he will well and truly pay and deliver over to his successor in office all moneys, bonds, notes, books, accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and the said directors shall employ and at pleasure remove a steward or stewards, and require of him or them an oath or affirmation, and such security for the faithful performance of his or their duties as the board of directors shall deem expedient, and to appoint a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively, and at pleasure remove; and to bind out as apprentices so that such apprenticeship may expire, if males, at or before the age of twenty-one years, if females, at or before the age of eighteen years: *Provided*, That no child shall be bound out for a longer time than until he arrives to the age of eighteen years, unless he be bound out to a trade other than a farmer: *And provided*, That in all cases the person to whom they are bound be required to give the child at least three months schooling in each year: *Provided also*, That no child shall be bound without the limits of the state, or at a greater distance than fifty miles from the poor house; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.

Expense to be estimated. SECTION 4. That the said directors shall, on or before the first day of December, one thousand eight hundred and fifty-six, furnish to the county commissioners an estimate of the probable expense of purchasing the lands, erecting the buildings and furnishing the same, and maintaining the poor for one year; whereupon said commissioners shall, and they are hereby authorized, to increase the county tax by one-fourth of the sum necessary for the purpose aforesaid, and shall procure on loan or credit of the taxes herein directed to be levied the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

Annual expenses. SECTION 5. That it shall be the duty of the said directors, on or before the first day of November in each and every year, to furnish the commissioners of said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to assess, and

cause to be collected, the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall, at least once in every year, render an account of all moneys by them received and expended to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county commissioners; and shall, at least once in every year, lay before the court of quarter sessions and grand jury of said county a list of the number, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to or apprenticed as aforesaid, with names of their masters or mistresses, and their trade, occupation or calling; and shall at all times, when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with rents, interests and moneys payable and receivable by said corporation, and also an account of all sales, purchases, donations, devises and bequests as shall have been made by them, or to them.

Annual accounts.

Reports.

Visitors.

SECTION 6. That as soon as the said buildings shall be erected, and all necessary accommodations provided therein, notices shall be sent signed by any two of the said directors, to the overseers of the poor of the several townships and boroughs of said county of M'Kean, requiring them forthwith to bring the poor of their respective townships and boroughs to the said house of employment, which order the said overseers are hereby enjoined and required to comply with, or otherwise to forfeit the costs of all future maintenance, except in cases where sickness or any other sufficient cause any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof shall certify the same to the said directors, and the same time issue an order under his hand and seal to the said overseers, directing them to maintain such poor until such time as he or she may be in a situation to be removed, and then convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with the said order; and the charge and expense of such temporary relief and of such removal shall be paid by said directors at a reasonable allowance.

Notice to overseers.

Their duties.

SECTION 7. That the said directors shall from time to time receive, provide for and employ according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or as shall have gained a legal settlement in the said county of M'Kean, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace directed to any constable of the said county of M'Kean, or to the overseers of the proper township in any other county of this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to permit any poor person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the said county of M'Kean.

Duty of directors to support poor.

- Quorum.** SECTION 8. That the said directors, or any two of them, who shall be a quorum in all cases to do business, shall have full power to make and ordain all such ordinances, rules and regulations as they shall think proper, convenient and necessary for the direction, government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same be not repugnant to this law or any of the other laws of this state or of the United States: *And provided also*, That the same shall not have any force or effect until they shall have been submitted to the court of common pleas for the time being of the county of M'Kean, and shall have received the approbation of the same.
- Rules.**
- Meetings.** SECTION 9. That a quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints and redress or cause to be redressed all grievances that may happen by neglect or misconduct of any person or persons in their employment or otherwise.
- Pay.** SECTION 10. That the said directors shall each of them receive for their services annually the sum of forty dollars, to defray the expenses of their necessary attendance on the duties of their office.
- Vacancies.** SECTION 11. That in case any vacancy or vacancies should happen by death, resignation, removal out of the county, or otherwise, the remaining directors or director, together with the court of quarter sessions of the said county, shall appoint a suitable citizen or citizens to fill such vacancy or vacancies until the next general election, when a director or directors shall be elected for the unexpired term of said vacancy or vacancies.
- Pay of commissioners.** SECTION 12. That the commissioners of the said county of M'Kean, are hereby directed to pay to each of the commissioners named in the first section of this act, the sum of one dollar per day for each and every day he shall necessarily spend in performing the duties prescribed by the first section of this act; and also to pay each of the directors a reasonable compensation for their services during the term they are employed in erecting any building or buildings aforesaid: *Provided*, That the same shall not, including the annual sum allowed them by this act, exceed fifty dollars for any one year.
- Claims to be settled.** SECTION 13. That all claims and demands in relation to the poor in the aforesaid county, existing at the time of this act being carried into effect, shall have full force and effect as if this act had not been passed; and when the same shall have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the said townships and boroughs in the said county of M'Kean, shall be paid over to the commissioners of the highways of the respective townships and boroughs to be by them applied towards repairing the roads therein.
- Repeal.** SECTION 14. That so much of the laws of this commonwealth relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they affect the county of M'Kean.
- Duty of sheriff.** SECTION 15. That the sheriff of said county shall in due time notify the said commissioners of their appointment, and when

here they shall meet for entering upon the duties assigned by this act; which place of meeting shall be as near the of the county as possible.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 368.

AN ACT

to lay out a State Road from Pine Grove, in Mercer county, via Centreville, to the nearest station on the North-western Railroad, in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Vincent, of Mercer county; James Irvin Hoge and David Dewolf, of Butler county, be and they are hereby appointed Commissioners to view and lay out a state road from Pine Grove, Mercer county, via Centreville, to the nearest station on the North-western railroad, in Butler county.

Commissioners.

SECTION 2. That it shall be the duty of said commissioners, as soon as practicable, having first been duly sworn or affirmed before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath or affirmation shall be filed in his office by the said justice of the peace or other proper officer, and they shall fully to view the ground and lay out the said road, having respect to the ground and shortest distance, so as best to promote the public good and do the least injury to private property, and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable supervisors to readily find the same.

Duties.

SECTION 3. That the said commissioners shall have authority under this act to lay out any part of said road on the bed of any road or part of a road heretofore constructed or laid out by authority of law; and they shall make a fair and accurate draft of the location of said road, noting the courses and distances, with a reference to the improvement, one copy whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of November next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before the said first day of November; and from henceforth the road shall be to all intents and purposes a public highway, and shall be opened to the width of thirty

Location.

Drafts.

Opening.

Damages. feet, and at a grade not to exceed three degrees from a horizontal line, and shall be made and repaired in all respects as roads laid out by order of court; and the damages sustained by the owners of land, if any, shall be assessed and paid as provided by the act of the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

Compensation. SECTION 4. That the said commissioners, one of whom may be an artist on said road, shall each be entitled to receive two dollars per day for each and every day they shall be necessarily employed in performing the duties of this act, and the artist shall be entitled to receive fifty cents per day additional compensation; and the said commissioners are hereby authorized to employ two chain carriers and one axeman, at a compensation not exceeding one dollar and fifty cents per day, and the accounts shall be registered by the commissioners and paid by the treasurers of said counties in the usual manner; and if any vacancy shall occur, by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply said vacancy or vacancies by appointment.

Expenses, how paid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 369.

AN ACT

Changing the name of Plunkets Creek township, in the county of Sullivan, to Hills Grove.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the township of Plunkets Creek, in the county of Sullivan, shall be called and known by the name of the township of Hills Grove.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 370.

AN ACT

To appoint Commissioners to run and mark the county lines between Wayne and Pike.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Phineas G. Goodrich, of the county of Wayne, and Lafayette Westbrook, of the county of Pike, are hereby appointed commissioners, with authority to survey, ascertain and mark the dividing line between the counties of Wayne and Pike. Commissioners.

SECTION 2. That it shall be the duty of said commissioners, after having first taken and subscribed an oath or affirmation before a justice of the peace to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground and carefully survey, ascertain, mark and establish the dividing line which separates Wayne from Pike. Duties.

SECTION 3. That it shall be the duty of said commissioners, on or before the first day of December, one thousand eight hundred and fifty-six, to survey and mark said line on the ground by distinct and permanent marks whenever and as often as the said division line crosses any public road or highway, and other convenient distances on the aforesaid line, and to make two drafts of the same, certified under their hands, with courses and distances plainly laid down, with reference to the improvements through which said line may pass, one of which they shall deposit in each of the prothonotary's office of the aforesaid counties as soon thereafter as practicable, which shall be considered as a public record. Mark line. Drafts.

SECTION 4. That the said commissioners shall receive as a compensation for their services the sum of three dollars per day and necessary expenses, for and during the time they shall be actually engaged in the discharge of their duties, and the commissioners shall have authority to appoint one assistant each; said assistants each shall receive for their services the sum of two dollars per day and the necessary expenses while actually engaged in said survey; and all the aforesaid expenses shall be equally paid by the counties of Wayne and Pike, by the commissioners of said counties by warrant drawn on the treasurers of their respective counties. Pay. Expenses, how paid.

SECTION 5. That in case either of the above named commissioners should refuse to serve, or in the event of his sickness or death, the remaining one shall select a suitable person, a resident of the same county in which the person resided who caused the vacancy as commissioner. Vacancies.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 371.

AN ACT

In relation to the recording of a certain deed from Joseph Brady to William Brady.

WHEREAS, Joseph Brady, on the sixteenth day of February, eighteen hundred and forty-nine, executed a deed to William Brady, for a certain tract of land in Ligonier township, Westmoreland county, for the purpose of barring an estate tail in accordance with the act of the sixteenth of January, one thousand seven hundred and ninety-nine, but said deed was not recorded within six months from its date as required by said act:

AND WHEREAS, The said tract of land has ever since been held and enjoyed under said deed, nor has the title to the same been in any way disputed, but doubts have been entertained as to the validity of the title to said land; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the deed in the preamble to this act described shall be good and available to pass the title to the tract of land described in the same, as fully and effectually as if the said deed had been recorded in the office for recording deeds in Westmoreland county, within six months next after the execution thereof, in accordance with the act passed the sixteenth of January, one thousand seven hundred and ninety-nine.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 372.

AN ACT

To authorize the Canal Commissioners to examine the claim of John Braden, relative to damages sustained by the erection of the Beaver Division of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners are hereby authorized to examine the

aim of John Braden, of Beaver county, and if it shall appear to them that damages have been sustained in his lands and premises, by reason of the erection of the Beaver division of the Pennsylvania canal, for which the commonwealth should be reasonably bound to make compensation, then the said commissioners shall assess such amount of damages in favor of the said John Braden as he shall justly be entitled to, and report the same to the legislature, with a statement of the facts upon which their award may be predicated.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 373.

A SUPPLEMENT

To an act to incorporate the Loretto Turnpike Road Company, in Cambria county, approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That authority is hereby given to the Loretto turnpike road company to increase the rate of toll on said road, until such time as the company shall be out of debt, from four to six cents on each horse in every cart or wagon drawing the same, whatever the length of the road may be; the said toll to be charged for the whole length of the road, or proportionably less for a less distance traveled.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 374.

AN ACT

To vacate part of a State Road leading from Schellsburg, in Bedford county to Fort Littleton, in Fulton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the state road leading from Schellsburg, in the county of Bedford, to Fort Littleton, in the county of Fulton, as lies between the village of Hopewell, in the county of Bedford, and the Gap of Sideling Hill, in the county of Fulton, be and the same is hereby vacated.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 375.

AN ACT

To establish a Ferry over the Ohio river at or near Middletown, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert B. Kendall, his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on the north and south sides of the Ohio river, at and near the village of Middletown, in Moon township, Allegheny county, on the south side, and at and near Haysville, Ohio township, in the same county, on the north side, and to use the river between said landings as a public ferry.

Duty of owner. SECTION 2. That the said Robert B. Kendall, his heirs and assigns, shall keep the said landing and ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all description, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams and carriages across the river with all reasonable diligence and care.

SECTION 3. That the said Robert B. Kendall, his heirs and assigns, as a remuneration for keeping up and in good repair the said landings and ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and other animals as may be prescribed by the court of quarter sessions of Allegheny county; and to extend a rope or wire across the river, if they may deem it advisable, to facilitate crossing: *Provided*, that the rope or wire shall not be so extended as to interfere with or obstruct the ascending or descending navigation of said river.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope, wire or boats, or other property, or shall take from its moorings any craft or boat belonging to said ferry, he, she or they so offending shall each of them forfeit and pay to the said Robert B. Kendall, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Robert B. Kendall, his heirs and assigns, to be recovered as debts of a like amount are recoverable. Penalty for injuries to work.

SECTION 5. That all other persons are hereby prohibited from using the said river, for the purpose of a ferry, five hundred yards above and five hundred yards below the said ferry; and any person or persons violating the provisions of this act shall forfeit and pay to the said Robert B. Kendall, his heirs and assigns, the sum of one dollar for every traveler, team, head of cattle, horse or carriage carried over the said river within the said above named bounds: *Provided*, That nothing in this act contained shall be construed to prevent persons owning the shore within the said limits from transporting persons and property free of charge. Restrictions.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 376.

AN ACT

For the relief of Elizabeth Keller, a widow of a soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay to Elizabeth Keller, widow of Jacob Keller, of Dauphin county, late a soldier of the Revolutionary war, or to her order, a gra-*

yearly value of ten thousand dollars, and any goods and chattels whatsoever, of the gift, alienation or bequest of any person or persons whatsoever; to purchase, take and hold any lands and tenements within their county in fee simple or otherwise, and erect thereon suitable buildings for the reception, use and accommodation of the poor of said county; to provide all things necessary for the reception, lodging, maintenance and employment of said poor; to appoint a treasurer annually, who shall give bond with sufficient surety for the faithful discharge of the duties of his office, and at the expiration thereof that he will well and truly pay and deliver over to his successor in office all moneys, bonds, notes, books, accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and the said directors shall employ and at pleasure remove a steward or stewards, and require of him or them an oath or affirmation, and such security for the faithful performance of his or their duties as the board of directors shall deem expedient, and to appoint a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively, and at pleasure remove; and to bind out as apprentices so that such apprenticeship may expire, if males, at or before the age of twenty-one years, if females, at or before the age of eighteen years: *Provided*, That no child shall be bound out for a longer time than until he arrives to the age of eighteen years, unless he be bound out to a trade other than a farmer: *And provided*, That in all cases the person to whom they are bound be required to give the child at least three months schooling in each year: *Provided also*, That no child shall be bound without the limits of the state, or at a greater distance than fifty miles from the poor house; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.

SECTION 4. That the said directors shall, on or before the first day of December, one thousand eight hundred and fifty-six, furnish to the county commissioners an estimate of the probable expense of purchasing the lands, erecting the buildings and furnishing the same, and maintaining the poor for one year; whereupon said commissioners shall, and they are hereby authorized, to increase the county tax by one-fourth of the sum necessary for the purpose aforesaid, and shall procure on loan or credit of the taxes herein directed to be levied the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

SECTION 5. That it shall be the duty of the said directors, on or before the first day of November in each and every year, to furnish the commissioners of said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to assess, and

cause to be collected, the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall, at least once in every year, render an account of all moneys by them received and expended to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county commissioners; and shall, at least once in every year, lay before the court of quarter sessions and grand jury of said county a list of the number, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to or apprenticed as aforesaid, with names of their masters or mistresses, and their trade, occupation or calling; and shall at all times, when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with rents, interests and moneys payable and receivable by said corporation, and also an account of all sales, purchases, donations, devises and bequests as shall have been made by them, or to them.

Annual accounts.

Reports.

Visitors.

SECTION 6. That as soon as the said buildings shall be erected, and all necessary accommodations provided therein, notices shall be sent signed by any two of the said directors, to the overseers of the poor of the several townships and boroughs of said county of M'Kean, requiring them forthwith to bring the poor of their respective townships and boroughs to the said house of employment, which order the said overseers are hereby enjoined and required to comply with, or otherwise to forfeit the costs of all future maintenance, except in cases where sickness or any other sufficient cause any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof shall certify the same to the said directors, and the same time issue an order under his hand and seal to the said overseers, directing them to maintain such poor until such time as he or she may be in a situation to be removed, and then convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with the said order; and the charge and expense of such temporary relief and of such removal shall be paid by said directors at a reasonable allowance.

Notice to overseers.

Their duties.

SECTION 7. That the said directors shall from time to time receive, provide for and employ according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or as shall have gained a legal settlement in the said county of M'Kean, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace directed to any constable of the said county of M'Kean, or to the overseers of the proper township in any other county of this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to permit any poor person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the said county of M'Kean.

Duty of directors to support poor.

of the state, or at a greater distance than fifty miles from the poor house; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.

Cost of buildings,
&c.

SECTION 4. That the said directors shall, on or before the first day of December, one thousand eight hundred and fifty-six, furnish to the county commissioners an estimate of the probable expense of purchasing the lands, erecting the buildings and furnishing the same, and maintaining the poor for one year; whereupon said commissioners shall and they are hereby authorized to increase the county tax by one-fourth of the sum necessary for the purpose aforesaid, and shall procure on loan or credit of the taxes herein directed to be levied the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

Tax on loan to
pay same.

Annual expenses.

SECTION 5. That it shall be the duty of the said directors, on or before the first day of November, in each and every year, to furnish the commissioners of said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to assess and cause to be collected the amount of said estimate, which shall be paid to said directors by the county treasurer on warrants drawn in their favor by the county commissioners as the same may be found necessary; and the said directors shall at least once in every year render an account of all moneys by them received and expended to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county commissioners; and shall at least once in every year lay before the court of quarter sessions and grand jury of said county a list of the number, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to or apprenticed as aforesaid, with names of their masters or mistresses, and their trade, occupation or calling; and shall at all times when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with rents, interests and moneys payable and receivable by said corporation, and also an account of all sales, purchases, donations, devises and bequests as shall have been made by them or to them.

Accounts.

Reports

Duty of overseers
of poor.

SECTION 6. That as soon as the said buildings shall be erected and all necessary accommodations provided therein, notices shall be sent, signed by any two of the said directors, to the overseers of the poor of the several townships and boroughs of said county of Lawrence, requiring them forthwith to bring the poor of their respective townships and boroughs to the said

use of employment; which order the said overseers are hereby joined and required to comply with, or otherwise to forfeit the ts of all future maintenance, except in cases where sickness any other sufficient cause any poor person cannot be removed; which case the said overseers shall represent the same to the rest justice of the peace, who being satisfied of the truth reof, shall certify the same to the said directors, and the same e issue an order, under his hand and seal, to the said over- rs, directing them to maintain such poor until such time as or she may be in a situation to be removed, and then convey said pauper and deliver him or her to the steward or keeper the said house of employment, together with the said order; l the charge and expense of such temporary relief and of h removal shall be paid by said directors at a reasonable wance.

SECTION 7. That the said directors shall from time to time eive, provide for and employ according to the true intent and aning of this act, all such poor and indigent persons as shall entitled to relief, or as shall have gained a legal settlement the said county of Lawrence, and shall be sent there by an ler or warrant for that purpose, under the hands and seals of y two justices of the peace directed to any constable of the id county of Lawrence, or to the overseers of the proper town- ip in any other county of this commonwealth, and the said rectors are hereby authorized, when they shall deem it proper d convenient to do so, to permit any poor person or persons be maintained elsewhere: *Provided*, That the expense of their intenance does not in any case exceed that for which they uld be maintained at the poor house of the said county of wrence.

Support of the poor.

SECTION 8. That the said directors, or any two of them, who all be a quorum in all cases to do business, shall have full wer to make and ordain all such ordinances, rules and regu- ions as they shall think proper, convenient and necessary for e direction, government and support of the poor and house employment aforesaid, and of the revenues thereunto belong- g, and of all such persons as shall come under their cogni- ace: *Provided*, That the same be not repugnant to this law, or y of the other laws of this state or of the United States: id *provided also*, That the same shall not have any force or ct until they shall have been submitted to the court of com- pleas for the time being of the county of Lawrence, and ll have received the approbation of the same.

Quorum.

Rules.

SECTION 9. That a quorum of said directors shall and they hereby enjoined and required to meet at the said house of ployment at least once in every month, and visit the apart- ts, and see that the poor are comfortably supported, and all complaints and redress, or cause to be redressed, all vances that may happen by neglect or misconduct of any on or persons in their employment, or otherwise.

Meetings.

SECTION 10. That the said directors shall each of them re- Pay. be for their services, annually, the sum of forty dollars, to ay the expenses of their necessary attendance on the duties heir office.

SECTION 11. That in case any vacancy or vacancies should en, by death, resignation, removal out of the county, or wise, the remaining directors or director, together with court of quarter sessions of the said county, shall appoint

Vacancies.

a suitable citizen or citizens to fill such vacancy or vacancies until the next general election, when a director or directors shall be elected for the unexpired term of said vacancy or vacancies.

Pay of commissioners.

SECTION 12. That the commissioners of the said county of Lawrence are hereby directed to pay to each of the commissioners named in the first section of this act, the sum of one dollar per day for each and every day he shall necessarily spend in performing the duties prescribed by the first section of this act, and also to pay each of the directors a reasonable compensation for their services, during the term they are employed in erecting any building or buildings aforesaid: *Provided*, That the same shall not, including the annual sum allowed them by this act, exceed fifty dollars for any one year.

Claims for support of poor under old law.

SECTION 13. That all claims and demands in relation to the poor in the aforesaid county existing at the time of this act being carried into effect, shall have full force and effect as if this act had not been passed; and when the same shall have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the said townships and boroughs in the said county of Lawrence, shall be paid over to the commissioners of the highways of the respective townships and boroughs, to be by them applied towards repairing the roads therein.

Repeal.

SECTION 14. That so much of the laws of this commonwealth relating to the poor as are by this act altered or supplied, be and the same are hereby repealed, so far as they affect the county of Lawrence.

Election to be held.

SECTION 15. That the qualified electors of the county of Lawrence, at the next annual election, shall vote on the acceptance or rejection of the provisions of this act, by printed or written tickets, having on the outside the words, "Poor house," and on the inside, "For a poor house," or, "Against a poor house," which votes shall be counted and returned by the officers of each election district in said county; and if a majority of said votes are cast for a poor house, then this act shall go into effect immediately thereafter; if a majority of said votes shall be against a poor house, then this act shall have no further force or effect whatever.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

W.M. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 378.

AN ACT

To incorporate a company by the name, style and title of the Mechanicsburg, Dillsburg and Petersburg Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin Eberly, Jacob Muma, Andrew J. Kauffman, Joseph Commissioners. Millisen, Doctor Ira Day, John Coover, Henry G. Kupp, Reverend J. S. Loose, Isaac Blizzard, Robert Bryson, Doctor P. H. Long, Doctor Cathcart, J. B. Wentz, Colonel L. Hyers, Michael Cocklin, John Williams, D. M. Williams, John Best, Benjamin Givler, Levi Welty, Henry Sidle, J. Moore, Robert Bryson, Colonel Logan, and such names as may hereafter be added, or any five of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Mechanicsburg, Dillsburg and Petersburg turnpike road company, with power to construct a turnpike road, commencing at the borough of Mechanicsburg, Route. in Cumberland county, thence by the easiest route, by way of Dillsburg, York county, to Petersburg, Adams county, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto. Subject to.

SECTION 2. That the capital stock of said company shall consist of two hundred shares, at twenty-five dollars per share: Capital. *Provided,* That the said company may, from time to time, by a vote of the stockholders, at a meeting to be held for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road and carry out the true intent and meaning of this act: *Provided however,* That no stockholder be allowed to buy over fifty shares of stock.

SECTION 3. That whenever said company shall have finished three miles of said road, they shall have power to erect gates and receive tolls, agreeable to the conditions and restrictions of sections twelve and thirteen of an act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine. Tolls.

SECTION 4. That if said company shall not commence the construction of the said road within two years and complete the same within five years from the passage of this act, the same shall be null and void, except so far as to authorize the settlement of the affairs and payment of the debts of the said company. Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 379.

A SUPPLEMENT

To an act to incorporate the Hollidaysburg and Altoona Plank Road Company; relative to the boundary line between the counties of Lycoming and Tioga; to the borough of Covington, and supervisors of Tioga county, and for other purposes, approved the fifth day of April, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Orlando F. Taylor and John C. Bennet, be and hereby are substituted in the place of George Knox and Nathan P. Case, mentioned in the fifth section of the act to which this is a supplement.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PLATT,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 380.

AN ACT

To authorize the erection of a public Town Hall in North Shenango township, Crawford county.

Erection of hall
authorized--after
election.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of North Shenango, in the county of Crawford, be and is hereby authorized to erect a town hall in some central part of said township, and which location shall be determined by the qualified voters thereof, convened for that purpose between the hours of one and six o'clock in the afternoon of the third Monday next after the passage of this act, at the place of holding the township elections in said township, and which said election shall be held and conducted by the officers authorized to hold the general and township elections for the time being, and in the same as other township elections; and at the same time and place the said qualified electors shall in like manner elect three reputable citizens of said township to be styled a building committee, and who shall be authorized and required to proceed within thirty days thereafter to levy a tax on the same property and things now by law taxable for road purposes, to an amount not exceeding one-half of the estimated cost of completing said town hall, in any one year, on the basis of the

Building com-
mittee.

then existing valuation for other township purposes; and said committee, or any two of them, shall superintend and direct the collection of said tax by the township treasurer for the time being, who is hereby authorized and required to receive and collect the same, in the same manner and with like powers as are given to the collectors of county rates and levies, on a warrant for that purpose issued by said committee; and the said treasurer shall pay over the said tax when collected upon orders drawn by said committee, or any two of them, as may be necessary and required to effect the objects of this act and the economical and convenient erection and completion of said building; and said treasurer shall give security to be approved by said committee for the safe-keeping and disbursement of said tax: *Provided*, That the cost of constructing said building, including materials and grounds, shall not exceed the sum of eight hundred dollars; and the constable of said township shall give at least six days' notice of said election in the usual manner, the returns whereof shall be filed with the town clerk, and by him entered of record within five days thereafter.

Their duties.

Cost of building.

SECTION 2. The said committee shall and are hereby authorized and required to obtain the necessary ground for the location of said town hall, and receive a conveyance thereof to the said township in fee simple, not exceeding in quantity one acre; and the said grounds shall be with the said town hall held under the superintendence of the town clerk for the time being for the public uses of the said township and citizens thereof; and the same town clerk may insure the said hall in the name of said township and at the proper expense thereof.

Powers of committee.

SECTION 3. That said committee shall be allowed a compensation for their services not exceeding one dollar per day for every day necessarily and diligently employed in and about the duties hereinbefore authorized and imposed, to be approved by the township auditors and paid out of the funds levied under the provisions of this act; and the township treasurer shall be allowed to retain the sum of five per cent. out of the same for collecting and disbursing thereof.

Pay of committee

SECTION 4. That the said town shall be completed within one year from the passing of this act, and immediately thereafter the said committee and treasurer shall render a true account under oath to the township auditors, who shall report upon the same in the same manner and with like effect, rights and consequences as in other cases of reports of township officers: *Provided*, That said committee shall continue in the discharge and liabilities of their office until the said tax be all levied as far as practicable, and the liabilities for the erection of said town hall be all paid, and their final account as aforesaid settled by said auditors as aforesaid, and any surplus, if any remains of said town hall fund, shall be subject to the order of the supervisors as other township funds for the use of the roads. And all general, special and township elections of said township next after the completion of said town hall shall be held therein.

Accounts.

proviso.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 381.

AN ACT

To authorize the collection of Road Taxes in Loyalhanna township, in Westmoreland county, in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of Loyalhanna township, in the county of Westmoreland, and their successors in office, be and they are hereby authorized and directed to appropriate any money they have or may have in their hands towards paying and defraying one-half the cost and expenses of building a bridge across the Loyalhanna creek, at William M'Quaid's mill; and in case said supervisors may not have money sufficient for said purpose, then they or their successors in office are hereby authorized and directed to lay and collect in money, a sum sufficient to pay and discharge any balance that may be wanting and necessary to defray the one-half of the costs and expenses of building and erecting said bridge at the place aforesaid; and the said supervisors are hereby authorized in return to subscribe, on behalf of said township, a sum of money sufficient to pay and discharge one-half the cost and expenses of erecting and putting up said bridge at the place aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 382.

A SUPPLEMENT

To the act authorizing the construction of a certain Water Course in Clinton county, approved the eighteenth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That L. A. Mackey, William Fearon, junior, John Jones, John Fallon, Christopher Fallon, Philip M. Price, James D. Whetham, D. K. Jackman and Allison White, their associates or assigns, be and are hereby authorized and empowered to extend the said

channel or water course mentioned in the act to which this is a supplement, through the basin described in said act as belonging to L. A. Mackey, William Fearon, junior, and John Jones, so as to form a connection with the Cross Cut canal at the place where the water is taken from the same to supply the said basin, so as to make that place the starting point of the said channel or water course, and to use the said basin for that purpose so far as the same may be necessary for the full enjoyment of the rights and objects of said act: *Provided*, That should the owners of the said basin sustain damage by reason hereof, the same shall be ascertained in the manner provided for in the second section of the act to which this is a supplement.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 383.

A SUPPLEMENT

To an act to incorporate the Farmers' and Mechanics' Fire, Marine and Life Insurance Company of Philadelphia, approved April twenty-seventh, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the capital stock of the Farmers' and Mechanics' fire, marine and life insurance company of Philadelphia, approved April twenty-seventh, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby increased to twenty-five thousand shares of fifty dollars each; and so much of the act to which this is a supplement as is inconsistent herewith, be and the same is hereby repealed: *Provided*, That such increase, or any part thereof, shall take place only when twenty-five per cent. of the amount subscribed is paid in.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 384.

AN ACT

To incorporate the Pittsburg and Youghiogheny Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That:*

Corporators. James Magee, Edward Smith and H. H. Houston, of the city of Philadelphia; A. M. Hill, of Fayette county; George C. Franciscus, Thomas A. Scott and Oliver W. Barnes, of the city of Pittsburg, and their successors, be and they are hereby incorporated and made a body politic and corporate, in fact and in name, by the name and style of the Pittsburg and Youghiogheny coal company, and by that name shall have perpetual succession, and be capable in law of holding and conveying such real and personal estate or property as may be deemed necessary for the purposes and objects of this incorporation, may sue and be sued, plead and be impleaded, in all courts of law and equity, may have and use a common seal, and the same to alter and renew at pleasure, and may receive, execute and deliver all such instruments of writing, and do such acts and things necessary to promote the objects and designs of the said company, as authorized by this act, namely: may mine, lease and sell coal, and transport the same to market.

Style.

Privileges.

Lands to be a common stock.

SECTION 2. That the lands to be conveyed to the said company in fee simple, by the parties owning the same, shall form a common stock, and be divided and represented by such convenient number of shares as the said company may deem expedient, not exceeding twenty thousand shares, with the privilege of increasing the same to forty thousand shares at such time that the said company may deem it expedient, the par value of which shall not exceed twenty-five dollars, and be appropriated by the said company among the subscribers according to their respective interests, for which shares of stock certificates shall be issued, and be transferable and assignable in such way and subject to such conditions as the said company may from time to time prescribe. And the said shares shall be taken and deemed, for all purposes whatever, as personal estate: *Provided,* The quantity of land which shall be held by said company at any one time shall not exceed three thousand acres. And they may further have the power to mortgage or otherwise encumber the same, by issuing mortgage bonds bearing interest not over seven per centum per annum, to an amount not exceeding in the aggregate one-half of the value of the said lands: *Provided,* That said coal land shall be confined exclusively to the counties of Allegheny and Westmoreland.

Shares to be personal estate.

Meeting of stockholders.

SECTION 3. That the stockholders shall meet as soon as practicable after the passage of this act, (notice of time and place of such meeting having been previously given by advertisement in one paper in each of the cities of Pittsburg and Philadelphia, daily, three times,) and annually thereafter, at such time and place as shall be fixed upon, and shall elect by ballot seven directors to serve for one year, or until others are chosen in

Directors.

their places; and such election shall be made by such stockholders of said company as shall attend for that purpose, either in person or by proxy, each share of stock to entitle the holder thereof to one vote. The directors so chosen shall elect one of their number to be president of said company, and in case of vacancy or absence, the office shall be filled *pro tempore* by such person as the remaining directors, or a majority of them, may select.

SECTION 4. That the directors shall have power to make such by-laws and appoint such officers and agents as they shall deem expedient, and generally conduct and transact the business of the said company; may declare and provide for the payment of such dividends to the stockholders as may be expedient: *Provided*, That the said by-laws shall not be repugnant to the constitution and laws of this state or of the United States, and that nothing in this act shall be construed to confer banking privileges. By-laws.

SECTION 5. That the stockholders and company shall be liable and subject to all the provisions contained in the eleventh, twelfth, thirteenth and fourteenth sections of an act, entitled "An Act to incorporate the Lackawanna iron and coal company," approved the fifth day of April, one thousand eight hundred and fifty-three, except that there shall be no individual liability for any loan to the said company. Liability of stockholders.

SECTION 6. That there shall be filed in the secretary's office of this commonwealth a certificate of the working capital of the said company, showing the amount of money actually employed in mining operations and in transporting the coal to market, to be verified by the oath or affirmation of the president thereof; and the said company shall pay one-half of one per centum upon the capital, and at the same rate upon the any subsequent increase thereof, for the use of the commonwealth, payable in five annual instalments, the first within one year from the filing of said certificate. Certificate to be filed. Tax.

SECTION 7. That this act shall continue in force twenty years from the date of the organization of the said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 385.

AN ACT

Relative to the defalcation of Jacob M. Strickler, late Collector of Tolls at Columbia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer and auditor general are hereby authorized and required to settle and adjust the defalcation of Jacob M. Strickler, late collector of tolls at Columbia, and to receive in payment thereof certificates of the loans of the commonwealth of Pennsylvania at par in one year from the passage of this act, without interest: *Provided,* That twenty-five thousand dollars of the same shall be paid within three months from the passage of this act; and on the payment of the said twenty-five thousand dollars the lien of the commonwealth on the real estate of the said Jacob M. Strickler shall cease and determine: *Provided further,* That the written assent of the sureties of the said Jacob M. Strickler to this act shall first be filed in the auditor general's office, and that the said sureties shall give security, satisfactory to the state treasurer and auditor general, that the terms and conditions of this act shall be complied with.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 386.

SUPPLEMENT

To the act incorporating the Girard Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Girard railroad company be and are hereby authorized to construct lateral railroads from the main line of their railroad, not exceeding six miles in length, and to extend their road up the Mahanoy creek and connect the same with the Catawissa,

Williamsport and Erie railroad or the Little Schuylkill railroad.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 357.

AN ACT

To restore an act to encourage the further development of the mineral resources of the Commonwealth of Pennsylvania, approved the eleventh day of April, one thousand eight hundred and forty-eight, so far as relates to Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act to repeal an act, passed the eleventh day of April, one thousand eight hundred and forty-eight, entitled "An Act to encourage the further development of the mineral resources of the commonwealth of Pennsylvania," be and the same is hereby repealed, so far as relates to Allegheny county, and that the quantity included in any one warrant shall not exceed one hundred acres: Provided, That no person but the adjoining riparian owner shall have the right to any warrant until after one year from the date hereof.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

We do certify, that the bill, entitled "An Act to restore an act to encourage the further development of the mineral resources of the commonwealth of Pennsylvania, approved the eleventh day of April, one thousand eight hundred and forty-eight, so far as relates to Allegheny county," was presented to the governor on the third day of April, one thousand eight hundred and fifty-six, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

WM. JACK,
Clerk of the House of Representatives.

THOMAS A. MAGUIRE,
Clerk of the Senate.

APRIL 16, 1856.

No. 388.

SUPPLEMENT

To an act passed the third day of April, Anno Domini one thousand eight hundred and forty, to incorporate the St. Paul's Roman Catholic Orphan Asylum of the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said orphan asylum shall have power to receive under its care any orphan child deprived of one or both parents, or child whose parents though living may have abandoned or be unable to maintain it; and that such child may be bound by indenture to the said orphan asylum by any person or persons having a right to bind such child under the existing laws of this commonwealth; and the said indenture shall be valid: Provided, That it shall set forth the facts as to the condition of the child, and that the object intended to be secured is the proper support and education of said child: And provided also, That in all cases where the child to be bound as aforesaid shall be above the age of fourteen years, the written assent of the child to the indenture shall be necessary, but not otherwise.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

We do certify, that the bill, entitled "Supplement to an act passed the third day of April, Anno Domini one thousand eight hundred and forty, to incorporate the St. Paul's Roman Catholic Orphan Asylum of Pittsburg," was presented to the governor on the third day of April, one thousand eight hundred and fifty-six, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

WM. JACK,
Clerk of the House of Representatives.

THOMAS A. MAGUIRE,
Clerk of the Senate.

APRIL 16, 1856.

No. 389.

SUPPLEMENT

To an act incorporating the Hanover Branch Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the seventh section of an act of assembly, entitled "An Act authorizing the governor to incorporate the Hanover Branch railroad company," approved the sixteenth day of March, one thousand eight hundred and forty-seven, be and the same is hereby repealed, and the fifth section of the act of assembly, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, is hereby enacted and substituted in place of the said seventh section above repealed. Repeal.

SECTION 2. That the stockholders in said Hanover Branch railroad company may hereafter, in elections for officers of said company, vote by proxy, and that all persons who shall have held stock for thirty days next prior to any such election shall be entitled to vote. Votes.

SECTION 3. That the supplement to the act authorizing the governor to incorporate the Hanover Branch railroad company, approved the twenty-ninth day of March, one thousand eight hundred and fifty-four, be and the same is hereby repealed. Repeal.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

We do certify, that the bill, entitled "Supplement to an act incorporating the Hanover Branch railroad company," was presented to the governor on the third day of April, one thousand eight hundred and fifty-six, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

WM. JACK,
Clerk of the House of Representatives.

THOMAS A. MAGUIRE,
Clerk of the Senate.

APRIL 16, 1856.

No. 390.

AN ACT

To authorize Amelie Farquhar, trustee, to sell certain real estate.

Preamble.

WHEREAS, By the last will and testament of Eliza Farquhar, late of the city of Philadelphia, now deceased, Edward Y. Farquhar and Thomas J. Donelson were appointed trustees as to so much of the property as was therein devised to the children of George W. Farquhar, deceased :

AND WHEREAS, The said Thomas J. Donelson renounced said trust, and Amelie Farquhar was under the provisions of the twenty-fourth section of the act approved the twentieth day of May, Anno Domini one thousand eight hundred fifty-three, entitled "An Act to incorporate the Commercial mutual insurance company of Philadelphia," et cetera, appointed a co-trustee with the said Edward Y. Farquhar :

AND WHEREAS, The said Edward Y. Farquhar is since deceased, leaving the said Amelie Farquhar sole trustee :

AND WHEREAS, The several interests in real estate in the city of Philadelphia, consisting principally of houses, are in a dilapidated condition, and it is believed could be sold and the proceeds reinvested to better advantage than would result by incurring the cost of repairing said houses, and the expense involved in their management and supervision.

Sale authorized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Amelie Farquhar, trustee of the several interests devised to the children of George W. Farquhar, deceased, under and by virtue of the last will and testament of Eliza Farquhar, late of the city of Philadelphia, deceased, be and she hereby is authorized and empowered, with the approbation of the guardian or guardians of said children, to sell and dispose of all or any part of the real estate situate in the city of Philadelphia, devised as aforesaid, and to sign, seal and deliver to the purchaser or purchasers thereof a good and sufficient deed or deeds of conveyance of the same in fee simple, freed and discharged of every trust whatever: *Provided however,* That the orphans' court having jurisdiction of the accounts of the executors of Eliza Farquhar, deceased, shall upon the petition of the said Amelie Farquhar and the said guardian or guardians of said children, or the purchaser or purchasers of said real estate, approve of such sale or sales, upon a statement verified by affidavit that the price obtained was adequate: *And provided further,* That previous to any sale under the provisions of this act, the said trustee be required to enter into a recognizance with sufficient security to be approved by the said court, for the faithful performance of all the duties enjoined upon her by said act.

Proviso.

Re-investment of funds.

SECTION 2. That it shall be the duty of said trustee to reinvest the proceeds of any such sale or sales either in real estate,

st mortgage securities, or in the loan of the government of
e United States or of this state.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one
ousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 391.

A FURTHER SUPPLEMENT

an act to incorporate the Ohio and Pennsylvania Railroad Company,
passed April eleventh, eighteen hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tives of the Commonwealth of Pennsylvania in General Assem-
y met, and it is hereby enacted by the authority of the same, That*
ie full and entire assent of this commonwealth be and the same
hereby given to the several provisions of an act of the legis-
ture of the state of Ohio, passed April tenth, one thousand
ght hundred and fifty six, entitled "An Act to authorize the
nsolidation of railroad companies of states adjoining, in cer-
in cases, and to authorize railroad companies in this state to
tend their roads into adjoining states;" and the said act of
ie state of Ohio is hereby adopted, ratified and confirmed and
acted into a law of this commonwealth, and all and each of
ie provisions, conditions and restrictions thereof as fully and
fectually as if the same were granted section by section, so
r as the same can be made applicable to the Ohio and Penn-
sylvania railroad company, for the purpose of forming a con-
olidation with the Ohio and Indiana railroad company, and
ie Fort Wayne and Chicago railroad company, or either of
em, reserving to this commonwealth the same rights and pow-
s in all respect in regard to matters connected with said rail-
ad and administration thereof within this state, as is reserved
nd provided in the said act of the state of Ohio, in regard to
ilroads situated in said state.

Assent given to
the Ohio act fol-
lowing this bill.

Said act re-enact-
ed as far as re-
lates to the Ohio
and Pennsylvania
railroad.

Consolidation
authorised.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one
ousand eight hundred and fifty-six.

JAMES POLLOCK.

AN ACT OF THE GENERAL ASSEMBLY OF OHIO.

AN ACT

To authorize the consolidation of railroad companies in this State with railroad companies of States adjoining, in certain cases, and to authorize railroad companies in this State to extend their roads into adjoining States.

Consolidation of certain companies authorized.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be lawful for any railroad company in this state, organized under the general or any special law, or which may hereafter be organized in this state, and whose line of road shall be made, or in the process of construction, to the boundary line of the state, or to any point either in or out of this state, to consolidate its capital stock with the capital stock of any railroad in an adjoining state, the line of whose road has been made or is in process of construction to the same point, and where the several roads so unite as to form a continuous line for the passage of cars: *Provided*, That roads running to the bank of any river which is not bridged shall be held to be continuous under this act.

Conditions of consolidation.

SECTION 2. That said consolidation shall be made under the conditions and restrictions following: That is to say, first, the directors of the several corporations may enter into a joint agreement under the corporate seal of each company for the consolidation of said companies, and prescribing the terms and conditions thereof; the mode of carrying the same into effect; the name of the new corporation; the number of the directors and other officers thereof, and their place of residence; the number of shares of the capital stock; the amount of each share and the manner of converting the capital stock of each of the said companies into that of the new corporation, with such other details as they shall deem necessary to perfect such new organization and the consolidation of said companies. Second, said agreement shall be submitted to the stockholders of each of the said companies, at a meeting thereof called separately for the purpose of taking the same into consideration; due notice of the time and place of holding such meeting and the object thereof shall be given by written or printed notices, addressed to each of the persons in whose names the capital stock of said companies stands on the books thereof, and also by a like notice published in some newspaper in the city or town where such company has its principal office or place of business. And at the said meeting of stockholders the agreement of the said directors shall be considered, and a vote by ballot taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote; and the ballots shall be cast in person or by proxy, and if two-thirds of all the votes of all the stockholders shall be for the adoption of said agreement, then that fact shall be certified thereon by the secretary of each of said companies, and the agreement so adopted, or a certified copy thereof, shall be filed in the office of the secretary of state, and shall be deemed and taken to be the agreement and act of consolidation of said companies; and a copy of said agreement and act of

Agreement to be submitted to stockholders.

Ballot to be taken thereon.

consolidation, duly certified by the secretary of state under the great seal of the state of Ohio, shall be evidence of the existence of said corporation.

SECTION 3. Upon making and perfecting the agreement and act as provided in the preceding section, and filing the same or a copy with the secretary of state, the several corporations parties thereto shall be deemed and taken to be one corporation, possessing within this state all the rights, privileges and franchises, and subject to all the restrictions, disabilities and duties of such corporation of this state so consolidated.

When companies shall be deemed consolidated.

SECTION 4. It shall be the duty of the stockholders at the meeting called to take into consideration said agreement, as hereinbefore provided, after the adoption of the same, to appoint a time and place for the election of the directors and other officers of the new corporation, which may be provided for in said agreement, notice whereof shall be given by the secretary of each of said companies in some newspaper printed at the place of the principal office of each of said companies, of the time and place of said election, at least three weeks previous thereto, which election shall be conducted in the manner that may be prescribed by said meeting of stockholders.

Time and place of electing officers

SECTION 5. Upon the election of the first board of directors of the corporation created by said agreement of consolidation and by the provisions of this act, all and singular the rights, privileges and franchises of each of said corporations, parties to the same, and all the property, real, personal and mixed, and debts due on account of subscriptions of stock or other things in action, shall be deemed to be transferred and vested in such new corporation without further act or deed; and all property, all rights of way, and all other interests, shall be as effectually the property of the new corporation as they were of the former corporations, parties to said agreement; and the title to real estate, either by deed, gift, grant or by appropriations under the laws of this State, shall not be deemed to revert or be impaired by reason of this act: *Provided*, That all rights of creditors, and all liens upon the property of either of said corporations, shall be preserved unimpaired, and the respective corporations may be deemed to be in existence to preserve the same; and all debts, liabilities and duties of either of said companies shall thenceforth attach to said new corporation, and be enforced against it to the same extent as if said debts, liabilities and duties had been contracted by it.

Rights, &c., to vest in new company.

Rights of creditors, &c., not to be affected.

SECTION 6. Such new company shall, as soon as convenient after such consolidation, establish a principal office at some point in this state, on the line of its road, and change the same at pleasure, giving public notice in some newspaper of such establishment or change.

Office to be established in this state

SECTION 7. Suits may be brought and maintained against such new company in the courts of this state for all causes of action, in the same manner as against other railroad companies in this state.

Suits.

SECTION 8. That portion of the road of such consolidation company in this state, and all its real and personal property, shall be listed for taxation, and taxed in the same manner as the road and property of other railroad companies in this state; to ascertain the proportion of the rolling machinery subject to

Taxation.

taxation in this state, the officer listing the same shall ascertain the value of all the rolling machinery of such company, and return a sum bearing the same proportion to the value of the whole that the length of the line of such road within this state bears to the length of the whole line.

May extend road
into other states.

SECTION 9. That any railroad company now organized, or which may hereafter be organized in this state, for the purpose of constructing a railroad to the boundary line of this state, shall be authorized to extend its road into and through any adjoining state, under the regulations which may be prescribed by such adjoining state; and the rights, powers and privileges of such company over such extension in construction and use of such road, in controlling the property and applying money and assets thereon, shall be the same as if said road had been built wholly within this state.

Certain stockholders
to be paid off

SECTION 10. Any stockholder who shall refuse to convert his stock into the stock of the consolidated company, shall be paid the highest market value of such stock, at any time within six months next preceding the time of the making of such agreement for consolidation, by the directors, if previous to such consolidation he shall so require; and if the stockholder so refusing to consolidate, and the board of directors of the company desiring to consolidate, cannot agree as to the value of said stock, it shall be lawful for the parties to submit the question to arbitration, which arbitration shall be conducted in accordance with the provisions of the law in force regulating arbitrations, so far as the same may be applicable, by three disinterested persons, to be appointed, upon the motion of either of the parties, by the judge of the court of common pleas of the county in which the person owning the stock shall reside, or in case he be a non-resident of the state, or of any county through which said road shall pass, then in the county in which the principal office of the company shall be kept; and if the person so refusing to convert his stock shall refuse to submit the question to arbitration, the proper judge shall, upon the application of any director of either of the companies desiring to consolidate, appoint the arbitrators, who shall proceed to ascertain the value of the stock the same as if the question had been submitted by the consent of both parties; and if the party owning the stock shall refuse to receive the amount awarded in any case provided for in this section, it shall be lawful for the company to deposit the same with the clerk of the court of common pleas of the county in which the arbitration shall be held, which deposit shall authorize the parties to proceed to consolidate without further payment to such stockholder.

How value of such
stock shall be as-
certained.

Notice in case of
arbitration.

SECTION 11. In all cases of arbitration under the provisions of the foregoing section, it shall be the duty of the party desiring such arbitration to give the opposite party at least ten days' notice of his intention to apply to the judge for the appointment of the arbitrators, which notice shall be served in the same manner as is provided for the service of a summons, and shall specify the time and place of the hearing of such motion: *Provided*, That in cases of non-residents the notice shall be by publication, made in the same manner and for the same time as provided by sections seventy, seventy-one and seventy-two of the act, entitled "An Act to establish a code of civil procedure,"

passed March eleventh, one thousand eight hundred and fifty-three.

N. H. VAN VORHES,
Speaker of the House of Representatives.

THOMAS H. FORD,
President of the Senate.

APRIL 10, 1856.

SECRETARY OF STATE'S OFFICE, }
COLUMBUS, April 10, 1856. }

I, James H. Baker, Secretary of State of the State of Ohio, do hereby certify, that the foregoing act is correctly copied from the original rolls on file in this office.

[L. s.] Witness my official signature and the great seal of the state of Ohio, at the time and place above written.

JAMES H. BAKER,
Secretary of State.

No. 392.

A SUPPLEMENT

To the act incorporating the Chester Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the Chester Valley railroad company shall not be liable to the commonwealth for the payment of any tax upon passengers or freight passed from their railroad to and upon the Philadelphia and Columbia railroad westward, and any proviso inconsistent herewith, contained in any act of assembly relating to said Chester Valley railroad company, is hereby repealed: Provided, That the legislature hereby reserves the right to reenact the same at any future time.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 393.

AN ACT

For the payment of certain costs incurred in the collection of taxes on licenses in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act of assembly of this commonwealth passed the thirteenth day of March, one thousand eight hundred and forty-seven, as provides that the costs incurred in collecting mercantile taxes shall be paid out of the state treasury upon the warrant of the auditor general, be and the same is hereby extended to costs incurred in the collection of the taxes on inns and taverns, beer, eating and oyster houses, breweries and distilleries, billiard rooms and bowling saloons, brokers and venders of patent medicines in the city and county of Philadelphia, for the years one thousand eight hundred and fifty-two and one thousand eight hundred and fifty-three; and it shall be the duty of the accounting officers of this commonwealth to credit the sureties of Robert G. Simpson, late treasurer of the county of Philadelphia, with the amount paid by him in suits for the collection of such taxes for the commonwealth, during his term of office, in those cases where said accounting officers shall consider the same just and proper, by making such allowance upon the judgment obtained against the said Robert G. Simpson and his sureties, in the Supreme Court for the Eastern district, on the eleventh day of November, one thousand eight hundred and fifty-four, as though the said credit had been given in the settlement of his account with the commonwealth.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 394.

AN ACT

To incorporate the Lebanon Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Simeon Guilford, Adam Grittinger, John Weidman, Levi Kline, George Lineweaver, David M. Karmany, John W. Mish, Cyrus D. Gloninger, Benjamin B. Lehman, George Hoffman, David Bowman, William Myers, John George, William Shirk, Jacob Weidle, and their associates and successors, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Lebanon gas company; and by said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever; and also of contracting and being contracted with relative to the business and objects of said corporation as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure; and shall have power to lease or purchase in fee simple, or otherwise, such real estate as may be necessary for carrying on the business of said corporation; and in their corporate name to make and execute obligations for the liabilities created in the transactions of said business of the corporation, and for none other.

Corporators.

Style.

Privileges.

SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Lebanon, and its vicinity, in the county of Lebanon, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on; and also to make and erect within said borough, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof as little as possible.

Authority to supply gas, &c.

SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed eighty thousand dollars, as the directors thereof shall deem necessary; for all which stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable at pleasure, by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation.

Capital.

Certificates of stock

SECTION 4. That the management and control of said corporation shall be vested in the persons named in the first section of the act, until the first Monday in January, Anno Domini one

Directors.

thousand eight hundred and fifty-seven, at which time the stockholders shall meet at such place as the board may designate, and elect from their number seven managers to serve for one year, and until their successors shall be duly elected, which shall be annually on the first Monday in January thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said elections shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share *bona fide* held by him, her or them, either as trustees, executors or administrators at the time of holding said election.

Their election.

Votes.

By-laws.

Dividends.

Penalty for illegally using gas.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws, not inconsistent with the laws of this commonwealth, and shall keep minutes of all their proceedings, which shall at all proper times be open to the inspection of the stockholders, and do all such acts and things for the proper regulation and government of the corporation, as they may deem necessary: They shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable, on the first Mondays in January and July of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

SECTION 6. That if any person or persons shall open a communication into the gas main or other gas pipes of said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners, without having the same inspected and approved by the proper officer of the corporation, at proper times and under proper circumstances to inspect the pipes, metres, burners, et cetera, put up in any building, he, she or they so offending, shall be subject to a penalty of not less than five, nor more than fifty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recoverable, one-half to be paid to the informer, and the other half to the borough of Lebanon for the use of said borough.

Penalty for injuries to works.

SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done any act or acts whatever, whereby any building, construction, works, gas pipes, gas posts, burner, or any other matter or thing appertaining to the same shall be obstructed, injured or destroyed, the person or persons so offending, shall be considered guilty of a misdemeanor, and may be thereof indicted in the court of quarter sessions of the county of Lebanon, and on conviction, shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, in the discretion of the court: *Provided*, That said criminal prosecution shall not, in any way, impair the right of said company to a full compensation in damages in a civil suit or action.

Duty of company.

SECTION 8. That said company shall, without unnecessary delay, refit, repair and restore to good and safe condition, all openings made in any of the streets, lanes and highways of the said borough, occasioned by the laying, refitting or examining their pipes, or for any other purpose, at the expense of said

company, and to the satisfaction of the town council of said borough; and on failure to do so, shall forfeit and pay to and for the use of the borough, with full costs, such a sum of money as may be necessarily expended by the town council in refitting and restoring the same; and the said company shall furnish all gas required or used for lighting up any or all of the streets, alleys or squares of said borough, at a deduction of five per centum from the rates charged to property holders and others by said company.

SECTION 9. That it shall not be lawful for said company to stop off the gas from any consumer, except for the purpose of repairs or unavoidable accident, who is willing to pay, and who tenders the amount due to the company by said consumer, for gas already consumed according to the established rates, under the penalty of five dollars, to be recovered for the use of the person injured as debts of like amount are by law recoverable; and the privileges granted by this act shall be exclusive, upon condition that the said company shall continue without unnecessary or unreasonable interruption to supply said borough, and the inhabitants thereof, with good and sufficient light (except in case of accidents) from the gas manufactured by said company, at the rates hereinbefore mentioned: *Provided nevertheless*, That said company shall not be required to lay down pipes for conveying gas to any portion of said borough, or its vicinity, unless, in the opinion of the managers, such portion contains a sufficient number of consumers to warrant the expense.

Penalty for refusing gas.

Privileges to be exclusive.

SECTION 10. That the managers of this company are hereby authorized to borrow, if necessary, any sum or sums of money not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works, and to secure the payment of the same, may execute a mortgage or judgment upon their works and real estate, signed by their president, and attested by their secretary, in favor of the person or persons who may have loaned the same; and the said managers shall provide for the payment of the interest, not to exceed eight per cent. per annum upon any loan made under this section, out of the receipts of said company, before any dividends shall be paid to the stockholders.

May borrow money.

SECTION 11. That it shall and may be lawful for the burgess and town council of the borough of Lebanon to subscribe for or purchase stock not exceeding four hundred shares, and to receive and dispose of any stock so subscribed or purchased, in the same manner as other property belonging to said borough, and to have a right to vote for president and managers of said company the same as other stockholders of the said company.

Burgess, &c., of Lebanon may subscribe.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 395.

A N A C T

To incorporate the Governor's Creek Meadow Company, in Falls township, Bucks county.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That
- Corporators.** William S. Janney, Charles Ellis, Jonathan Eastburn, John Lingle, Benjamin Sterling, Isaac J. Robbins, Hector C. Ivins, Mark Wright, Ebenezer H. and William S. Mull, representatives of the estate of Martin Mull and Edward Worrell, and their successors, be and they are declared to be a body politic and corporate in law and in fact, by the name, style and title of the Governor's Creek meadow company, in Falls township, Bucks county, and by the name, style and title aforesaid to have and enjoy all the usual and necessary powers of bodies politic and corporate.
- Style.**
- Expenses to be paid.** **SECTION 2.** That each and every member of the company, their heirs and successors, shall pay to the trustees for the time being, his, her or their proportion of all expenses incurred or to be incurred, hereinafter named, and their successors appointed as hereinafter mentioned, in such manner as the company, at their annual meeting, shall from time to time direct. They shall also, at their own expense, keep their drains open through their respective lots, in such manner as to give the greatest fall the ground will admit.
- Drains.**
- Annual meetings.** **SECTION 3.** That the general meetings of the company shall be held on the first Saturday in the year annually; of the time and place of holding such meetings it shall be the duty of the trustees for the time being to timely give notice to each and every member.
- Elections.** **SECTION 4.** That at said annual meeting, two-thirds of the members being present, shall elect by ballot three of their number trustees for one year; examine the accounts of the trustees of the preceding year, which the said trustees shall lay before them, and allow such as to them shall appear just and reasonable; subject, nevertheless, in case of disagreement between the trustees and company, to the arbitration of disinterested persons, to be mutually agreed on by the parties, but if the parties cannot agree in the choice of such arbitrators, they are to be nominated by the nearest justice of the peace, not interested, at the request of either party; and to make all such rules, ordinances and by-laws for the regulation of the company as to them shall appear necessary: *Provided,* That such rules, ordinances and by-laws shall not be repugnant to the constitution and laws of this commonwealth.
- By-laws.**
- Present trustees.** **SECTION 5.** That Charles Ellis, Samuel Eastburn and Isaac J. Robbins, are hereby appointed the present trustees, who and their successors duly elected according to this act, shall attend to the banks and sluice at the river; they shall keep them in repair; they shall ascertain the expenses, and apportion them among the members, and until it shall be otherwise directed by the company, they shall call upon each member to work out his,
- Their duties.**

er or their portion of the expense: *Provided*, The nature of the work and the urgency of the case will admit the same.

SECTION 6. That it shall be the duty of the trustees to personally inspect the drains or ditches from the river to the other extremity twice in each year (spring and autumn;) they shall see that the drains or ditches are properly opened, and in case of the neglect or refusal of any member to remove obstructions in said drains or ditches, upon ten days' notice being given to such member or members, the trustees are hereby required to have them removed at his, her or their expense, and upon the refusal of any such member to pay his, her or their portion of the expenses so incurred, in thirty days, the said trustees are required to immediately sue for and recover the same, and all other moneys which shall become due the company, as all other debts of like amount are recoverable by law; and cause a survey and valuation of the said marsh to be made when directed so to do by the company. Duties of trustees

SECTION 7. That this act shall continue in force for forty years Limitation.
from and after the passing thereof, and no longer.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 396.

AN ACT

Relative to the Mansfield Iron Works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Mansfield iron works are hereby authorized to sell the bonds of said company at such rates as may be agreed upon by the parties; and if said bonds are thus sold at a discount, such sale shall be as valid in every respect, and such securities as binding for the respective amounts thereof, as if they were sold at their par value, and the purchaser or purchasers thereof shall not be liable to prosecutions for usury.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 397.

AN ACT

To establish a Ferry over the North Branch of the Susquehanna river at or near Centreville, in Columbia county.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles H. Hess and Andrew Freas, their successors and assigns, shall have the right and privilege, at their own expense, to keep good and convenient landings on both sides of the Susquehanna river, at a place near Centreville and opposite, in Columbia county, now occupied by the said Hess and Freas as a ferry, and to use the river between the said landings as a public ferry.
- SECTION 2.** That the said Charles H. Hess and Andrew Freas, their successors and assigns, shall keep the said landings and ferry in good order and repair, fit for transportation and passage of travelers, teams and carriages, and shall keep good and substantial boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams and carriages across the said river with all reasonable diligence and care.
- SECTION 3.** That the said Hess and Freas and their successors and assigns shall have the right to keep extended across said river, at said place, a wire rope, such as they now have to facilitate crossing; and as a remuneration for keeping up and in good repair said landings and rope ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and other animals as are received by other ferries of like import crossing the said ferry: *Provided,* That the rope or wire shall not be so extended as to interfere with or obstruct the navigation of said river; and nothing in this act contained shall be so construed as to authorize them to receive or discharge any travelers, cattle or carriages, et cetera, as aforesaid, on land on either side excepting the public highway, without the consent of the owner or owners thereof.
- SECTION 4.** That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any ropes, wire or boats, or other property belonging to said ferry, he, she or they so offending shall pay to the said Charles H. Hess and Andrew Freas, their successors and assigns, the sum of twenty dollars in addition to all damages sustained by the said Charles H. Hess and Andrew Freas, their successors and assigns, to be recovered as debts of like amount are now by law recoverable.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 398.

AN ACT

To incorporate the Johnstown and Scalplevel Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Slick, C. P. Murray, J. Marbourg, John Geis, James Campbell, H. Walters, George Inglebaugh, P. F. Gibbons, John Brawley, Jacob Fronheiser and Joseph Miller are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Johnstown and Scalplevel turnpike road company, with power to construct a turnpike road, commencing at the borough of Johnstown, in Cambria county, to Scalplevel, Somerset county, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

Commissioners.

Style.

Route.

Subject to.

SECTION 2. That the capital stock of said company shall consist of five hundred shares, at twenty-five dollars per share: *Provided*, That the said company may from time to time, by a vote of the stockholders, at a meeting to be held for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road and carry out the true intent and meaning of this act.

Capital.

SECTION 3. That whenever said company shall have finished three miles of said road they shall have power to erect gates and receive tolls, agreeable to the conditions and restrictions of sections twelve and thirteen of an act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and any road hereby supplied shall be vacated.

Tolls.

SECTION 4. That if said company shall not commence the construction of the said road within two years and complete the same within five years from the passage of this act, the same shall be null and void, except so far as to authorize the settlement of the affairs and payment of the debts of the said company.

Limitation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 399.

AN ACT

For the election of Township Treasurer, and other purposes, in the township of Cherry Hill, in the county of Indiana.

Election of township treasurer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the township of Cherry Hill, in the county of Indiana, are hereby authorized and directed, at the same time and place that other township officers are elected in said township, to elect one of their number township treasurer, who having given bond in the sum of one thousand dollars for the faithful performance of his duty, to be approved by the court of quarter sessions of the peace for said county, shall take possession of all moneys collected for the maintenance of the poor in said township, all money collected as road tax, and all money arising from the sale of strays, and all fines; and it is hereby made the duty of the overseers of the poor and supervisors of roads and justices of the peace to pay over to said township treasurer, as soon as received from either of the above mentioned purposes, all moneys so received, and said township treasurer to pay out said money, or any portion of it, only upon an order or orders issued by the auditors of said township: *Provided,* That upon a failure to elect a township treasurer, the court of quarter sessions of said county shall have power to appoint a treasurer for said township, to serve to the ensuing election held for the purpose of electing township officers.

Road taxes.

SECTION 2. That the supervisors of the township of Cherry Hill aforesaid, are hereby authorized and empowered to collect so much of the road tax of said township in money as may be deemed necessary to pay the services of said supervisors: *Provided,* That not more than two mills on the dollar be so collected.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 400.

A FURTHER SUPPLEMENT

To the act incorporating the Wilkesbarre and Providence Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Wilkesbarre and Providence plank road company be and is hereby authorized to terminate their said road at any point at the discretion of the managers, on the Lackawanna and Bloomsburg railroad, above the borough of Pittston, Luzerne county; and the time for completing said road be and is hereby extended for the period of three years from the passage of this act.

Terminus of road.

Time extended.

SECTION 2. That the said company be and is hereby authorized to change their said road into a clay, gravel, slate or turnpike road at such places and points as the board of managers may see proper; subject, however, to all the privileges and restrictions of the act of assembly approved the twenty-ninth day of January, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," and its supplements.

May change road

SECTION 3. That the said company is hereby authorized to sell their said road, with all their rights and franchises, to any railroad company now or that may hereafter become incorporated: *Provided*, That the consent of a majority of the stockholders be first procured in writing.

May sell road.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 401.

AN ACT

Relative to lots in or near the city of Erie.

WHEREAS, The members of the Harrisburg and Presque Isle company became seized of certain in-lots and out-lots in and near the town, now city, of Erie, in Erie county, Pennsylvania, and all of the original members of said company are dead, but conveyances have been made by which Thomas H. Sill, lately

Preamble.

LAWS OF PENNSYLVANIA,

way be first obtained by consent of the owner or owners of the land through or over which said road may be constructed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 405.

AN ACT

Relating to the service of process in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter when any action is commenced by any person against any corporation, in any county in which the property of said corporation was wholly or in part situated, it shall be lawful for the president, treasurer, secretary or chief clerk do not reside or cannot be found in such county, for the sheriff or officer to whom any process may be directed to serve the same on any manager or director in such county, and the service so made shall be deemed sufficient; and in case no director or manager can be found in such county, it shall be lawful for the sheriff or other officer to whom such process is directed to go into any county to serve the process aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 400.

A FURTHER SUPPLEMENT

To the act incorporating the Wilkesbarre and Providence Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Wilkesbarre and Providence plank road company be and is hereby authorized to terminate their said road at any point at the discretion of the managers, on the Lackawanna and Bloomsburg railroad, above the borough of Pittston, Luzerne county; and the time for completing said road be and is hereby extended for the period of three years from the passage of this act.

Terminus of road.

Time extended.

SECTION 2. That the said company be and is hereby authorized to change their said road into a clay, gravel, slate or turnpike road at such places and points as the board of managers may see proper; subject, however, to all the privileges and restrictions of the act of assembly approved the twenty-ninth day of January, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," and its supplements.

May change road

SECTION 3. That the said company is hereby authorized to sell their said road, with all their rights and franchises, to any railroad company now or that may hereafter become incorporated: *Provided*, That the consent of a majority of the stockholders be first procured in writing.

May sell road.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 401.

AN ACT

Relative to lots in or near the city of Erie.

WHEREAS, The members of the Harrisburg and Presque Isle company became seized of certain in-lots and out-lots in and near the town, now city, of Erie, in Erie county, Pennsylvania, and all of the original members of said company are dead, but conveyances have been made by which Thomas H. Sill, lately

Preamble.

half of one per centum upon such increase, in five equal annual instalments.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 403.

A SUPPLEMENT

To an act relative to suits in dower and partition, passed twentieth February, one thousand eight hundred and fifty-four.

Former act con-
strued.

Service of pro-
cess.

Proviso.

Fees of sheriff
and jurors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of the act passed the twentieth day of February, one thousand eight hundred and fifty-four, entitled "An Act relative to suits in dower and partition," is hereby declared to be, to include and embrace all proceedings in partition, instituted or which may be instituted in the orphans' court in any of the counties of this commonwealth, for the partition or valuation of the real estate of any decedent, in all cases where said real estate is situate in two or more counties of this commonwealth. And that in all such cases all process, writs and notices required to be served personally upon any person or persons interested in such proceedings in partition, may be served by the sheriff of the county in which such proceedings in partition have been instituted or commenced; and that the jurors for making such partition or valuation shall be selected from the same county in which such proceedings are instituted: *Provided,* That nothing in this act, or in the act aforesaid, passed the twentieth day of February, one thousand eight hundred and fifty-four, shall be so construed as to prevent the parties interested in the partition of the real estate of any decedent, from instituting proceedings in partition in the orphans' court in each county where such real estate is situate, except in cases where such real estate consists of adjoining tracts or parcels of land situate in different counties, if the orphans' court of the county in which the proceedings in partition are required by the said act relative to suits in dower and partition are required to be had, shall so order and decree.

SECTION 2. That the sheriff holding inquisition upon the real estate of any decedent as aforesaid, where such real estate is situate in two or more counties, shall receive for his services,

here engaged more than one day, two dollars per day for each day after the first; and the jurors in all cases of partition shall receive one dollar per day for each day engaged in making such partition and valuation, and shall also receive in addition their daily pay three cents per mile circular for each mile necessarily traveled by them, counting from the place at which the jurors first met, and back to the same place.

SECTION 3. That all proceedings in partition in the orphans' court heretofore duly had and adjudicated or commenced, for the partition of the real estate of any decedent, lying in two or more counties, are hereby confirmed, and the same shall be held factual and valid as if this act had been in force at the time said proceedings were commenced; and all proceedings to make partition in the orphans' courts in cases of testacy, and the partition and sales made under them, shall be of the same validity as if made before as after the act of thirteenth of April, eighteen hundred and forty, being a supplement to an act relating to the orphans' court. Certain proceedings confirmed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 404.

AN ACT

Relating to the Mount Washington Inclined Plane Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mount Washington inclined plane company are hereby authorized to borrow any amount of money not exceeding five thousand dollars, upon such terms as the parties in interest may agree upon, for the purpose of completing and equipping their road and paying the debts of the company, and as security therefor to issue bonds, to be secured by mortgage on their road, the property therewith connected and their corporate franchise. May borrow money.

SECTION 2. That the said company are hereby authorized to change the location of their road at their discretion, to commence at any point at or near Carson street, in South Pittsburg, and terminate at any point most advantageous within the boundaries of Lower St. Clair township: *Provided,* That the right of May change road

LAWS OF PENNSYLVANIA,

way be first obtained by consent of the owner or owners of the land through or over which said road may be constructed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 405.

AN ACT

Relating to the service of process in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter when any action is commenced by any person against any corporation, in any county in which the property of said corporation was wholly or in part situated, it shall be lawful, if the president, treasurer, secretary or chief clerk do not reside or cannot be found in such county, for the sheriff or officer to whom any process may be directed to serve the same on any manager or director in such county, and the service so made shall be deemed sufficient; and in case no director or manager can be found in such county, it shall be lawful for the sheriff or other officer to whom such process is directed to go into any county to serve the process aforesaid.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 406.

AN ACT

To incorporate the Abington Turnpike or Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* S. Robinson, Edward M. Shoemaker, Samuel Reckless, William T. Morrison, Yarnall Hallowell, Thomas Buckman, Joseph Hallowell, John J. C. Harvey, S. Lukens Shoemaker, Thomas Fletcher, Jesse Jenkins, J. Francis Fisher, Edwin Sathwaite, Charles S. Fletcher, John M. Grant, Abel Sathwaite, junior, William M. Bushman, Charles F. Wilson, Benjamin W. Fleck and Richard Roberts and William Cottman, Commissioners. Montgomery county, or any five of them, are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of the Abington plank road or turnpike company, with power to construct a road commencing at a point on the Fox Chase and Huntingdon turnpike road, in Abington township, Montgomery county, between lands of Samuel Reckless and Yarnall Hallowell, at the intersection of a road leading thence to the Cheltenham and Willow Grove turnpike road, extending thence in or upon or near to the present bed of the said road, with full authority to alter or change the same, to the intersection of said road and the Cheltenham and Willow Grove turnpike road, above Shoemakertown, in Cheltenham township, Montgomery county, with the privilege of extending the same by a branch road from Abington Friends meeting house, in or upon or near to the bed of the present road, to the intersection of the Fox Chase and Huntingdon turnpike road, at an oak tree near to Joseph Waterman's land, and also with the privilege of extending a branch from said meeting house, upon the bed of the present road, to Jenkintown, in Montgomery county, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting that portion of the eleventh section of the said act relating to the width of the road; and the company hereby incorporated shall have power to lay out a road not exceeding forty-five feet in width, and cause at least sixteen feet to be made as prescribed by said eleventh section. Style. Route. Branch. Subject o.

SECTION 2. That the capital stock of the said company shall consist of four hundred shares at twenty-five dollars per share: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the said road, and to carry out the true intent and meaning of this act. Capital.

SECTION 3. That whenever the said company shall have completed one mile or more of said road they shall have power to erect a toll gate and receive tolls, agreeably to the conditions Tolls

and restrictions of the aforesaid act, approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine.

Limitation.

SECTION 4. That if said company shall not commence the construction of the said road within two years from the passage of this act and complete the same within five years thereafter, then this act shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of the company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 407.

AN ACT

To incorporate the Factoryville and Abington Turnpike and Plank Road Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Northrup, Loren Dewey, G. E. Humphrey, Davis H. Sammens, John Baker, J. M. Gregory and Benjamin F. Bailey, of Luzerne county; Stephen Capwell, Charles L. Jackson, John Wilson and Warren Briggs, of Wyoming county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Factoryville and Abington turnpike and plank road company, with power to construct a turnpike or plank road from at or near the village of Factoryville, in Wyoming county, to any point in Abington, Luzerne county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as hereinafter provided.

Capital. SECTION 2. That the stock of said company shall consist of five hundred shares at twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road and carry out the true intent and meaning of this act.

Limitation. SECTION 3. That if said company shall not commence the construction of said road within one year from the passage of this act, and complete five miles of the same within five years,

maining part within seven years from the date thereof, shall be null and void, except so far as the same may be y to wind up the affairs and pay the debts of the com-

SECTION 4. That said company shall have power to vacate any parts of public roads heretofore in use, but supplied and made useless by the construction of said turnpike or plank road. May vacate roads

SECTION 5. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and collect tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except so far as relates to tolls, which discriminate in favor of wheels of a greater width than four inches; and the company hereby incorporated shall have power to regulate their tolls within the limits prescribed by said act and the several supplements thereto, without reference to width of wheels. Tolls.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 408.

AN ACT

To authorize John N. Neumann to raise money on the security of certain church property to pay off the debts of the same.

WHEREAS, Daniel F. Devitt, by indenture bearing date the fourteenth day of January, Anno Domini one thousand eight hundred and fifty-four, recorded at Philadelphia in deed book T H, number one hundred and twenty-six, page one hundred and eighty-nine, did grant and convey unto the said John N. Neumann, his heirs and assigns, a lot of ground, with the brick church and parsonage buildings thereon erected, situate at the north-east corner of Broad and Catharine streets, in the late district of Moyamensing, in the county, now in the city of Philadelphia, containing in breadth on the said Broad street, seventy feet, and in depth along the north side of Catharine street, one hundred and thirty feet to Ritchie street, to hold, subject to a yearly ground rent of four hundred and fifty-five dollars, in trust for the use and benefit of the Roman Catholic congregation of Saint Theresa, worshipping at the church of Saint Theresa, in the county of Philadelphia, above described : Preamble.

AND WHEREAS, By a memorial to the Senate and House of Representatives, under the hands of the pew-holders and members of the said congregation, it is represented that they are desirous that the said John N. Neumann shall be authorized to borrow and raise, by way of ground rent, such sum or sums of money as may be necessary for payment of the debts remaining due for the erection of the said church edifice and parsonage house; and that the creation of a ground rent, which in this case would be less than one-fifth of the value, will involve the form of a sale, and that they were advised that there is no power in the courts under general law to decree a sale for less than the highest price or greatest rent that can be obtained; therefore,

John N. Neumann may borrow money.

And secure same.

Give bond.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said John N. Neumann be and he is hereby authorized and empowered to borrow and raise such sum or sums of money, not exceeding four thousand dollars, on ground rent, as he may deem necessary for payment of the debts incurred and remaining due for the erection of the church edifice and parsonage house erected on the lot of ground above described, on the security of the same, and for that purpose to make, execute acknowledge and deliver such deed or deeds for the purpose of reserving or creating such ground rent or ground rents or other assurances of the said lot of ground, church and parsonage buildings, with such covenants, clauses, stipulations and agreements as may be agreed upon between him and any person or persons, corporation or corporations parties to such deed or deeds, and such ground rent or ground rents so created or reserved as aforesaid, to grant, bargain, sell, assign and convey to any person or persons purchasing the same, but so that such grantee of any such ground rent shall not be bound to see to the application of the moneys so lent or advanced as aforesaid; and every such grantee of such ground rent or rents, as the case may be, shall take and hold the same, free, clear and discharged of and from all trusts whatsoever, whether the said trusts be for charitable, religious or other purposes, of whatsoever kind or nature the same may be: *Provided,* That before the executions of any such deeds as aforesaid, the said trustee shall give good and sufficient security to be approved by the court of common pleas of the county of Philadelphia, conditioned for the faithful application of the money so raised by virtue of this act.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 409.

AN ACT

Declaring Aramingo Canal, in the county of Philadelphia, to be a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Aramingo canal as shall be made navigable by the owners bordering thereon is hereby declared to be a public highway, subject in the construction and use thereof to the control and regulation of the board of wardens, under ordinances of the city of Philadelphia: *Provided,* That nothing herein contained shall be so construed as to alter the metes and bounds of said canal as heretofore laid out and surveyed: *Provided,* That property owners, whose lands border on the said creek, shall be at all the expense of digging out and wharfing the same, and that nothing herein contained shall be so construed as to put the city of Philadelphia to any expense or outlay of money.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 410.

AN ACT

In relation to paving in the borough of Manchester, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Manchester, in the county of Allegheny, shall have power, upon the petition of a majority of the owner or owners of the ground bounding and abutting on any street, lane or alley within the limits of said borough, to require by ordinance the grading and paving of such street, lane or alley, or parts of the same, not less than one square, within such reasonable time as the said council shall by ordinance direct, and shall have full power to levy and collect a

Paving authorized to be done

Expense, how to be paid. special tax for defraying costs and expenses of the paving by an equal assessment on the feet front bounding and abutting as aforesaid; each person signing a petition as aforesaid shall state the number of feet front which he, she or they severally own upon such street, lane or alley, and each person as aforesaid owning twenty feet or less upon such street or alley shall be entitled to one vote, and shall have an additional vote on such petition for every additional twenty feet he, she or they may severally own as aforesaid: *Provided*, That in no case shall any one be entitled to more than five votes.

Votes

How cost of paving, &c. may be recovered from property holders.

SECTION 2. That whenever any street, lane or alley within the limits of said borough shall have been graded and paved by the council, and the expenses thereof assessed and apportioned as aforesaid, it shall be the duty of the council to cause demand to be made by the street commissioner from the owner or owners of such property bounding and abutting as aforesaid, if known to them to be resident within the county of Allegheny, or from his, her or their agent, known to them to be resident therein, of the amount of said cost and expenses to which his, her or their property is liable as aforesaid; and if such owner or owners, his, her or their agent, shall neglect or refuse, for the space of thirty days after such demand, to pay the same, it shall be lawful for said council to cause, at any time thereafter, a statement to be made out by the said commissioner, headed by name of such street, lane or alley, and setting forth the name or names of the owner or owners so delinquent, the amount of said expenses for which his, her or their property is liable as aforesaid, and a description of his, her or their property sufficient to identify it, giving the number of feet it bounds or abuts on such street, lane or alley, and the date of the demand aforesaid, of the truth of all which facts the said commissioner shall make affidavit, which statement and affidavit shall be filed in the office of the prothonotary of the court of common pleas of Allegheny county, and the said prothonotary shall enter the same of record in said court of the term to which it is filed; if the name or names of the owner or owners of property which is liable as aforesaid is or are unknown, or if the owner or owners have no known residence in the county or any known agent therein, such fact or facts shall appear on such statement opposite the description of the property.

Misnomer not to affect proceedings

SECTION 3. That no return of a wrong name or names as owner or owners, or misnomer in said statement or misdescription of the property, shall vitiate said statement, but the names of owners and the description of the property may be altered or amended on application to said court for that purpose; and such costs and expenses shall be recoverable by writs of *scire facias*, in the name of the commonwealth, for the use of the burgess and town council of the borough of Manchester, in the same manner as debts secured by mortgage are recoverable, and such writs of *scire facias* may issue at any time after the filing of such statement.

Council to re pay

SECTION 4. That upon the payment by the owner or owners of any lot or lots of the amount of the cost and expenses of the paving done as aforesaid, the said council shall give such owner or owners a bond or bonds for the re-payment to such owner or owners, payable within twenty years, with interest at the rate of six per centum per annum on the amount paid by

him, her or them for paving as aforesaid : *Provided*, That nothing herein contained shall be so construed as to compel the owner or owners of any lot or lots to pay any portion of the costs and expenses of any grading on any street, lane or alley as aforesaid in front of the same, but said grading shall be done at the proper cost of the said borough : *And provided further*, That nothing herein contained shall conflict or in any manner interfere with any laws previously enacted regulating the grading, paving and curbing of sidewalks.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 411.

AN ACT

To provide for the election of an additional Law Judge of the Court of Common Pleas in the sixth judicial district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the qualified electors of the several counties composing the sixth judicial district shall, at the next general election, in the manner prescribed by law for the election of the president judge, elect one person learned in the law to serve as an additional judge of the several courts in the said district; the said additional judge shall possess the same qualifications which are required by the constitution and laws for president judge, and shall be commissioned by the governor, and hold his office by the same tenure as other judges of courts of record required to be learned in the law; the said additional judge within the said district shall have the same power, authority and jurisdiction, and be subject to the same duties, provisions and penalties as the president judge, and shall receive as compensation for his services, out of the state treasury, the sum of sixteen hundred dollars per annum, to be paid in quarterly payments.

Time of electing.

Qualifications.

Term of office.

Salary.

SECTION 2. That it shall be the duty of the said additional judge to hold courts in the several counties of said district at the times hereinafter specified, and shall have power to appoint and hold such adjourned terms in addition thereto as the business may require, and to award venire for juries at all the said regular and adjourned terms, if necessary, to wit : In the county of Erie, one term commencing on the second Monday of March,

Power and duties.

Courts to be held.

to continue three weeks; one term to commence on the second Monday of June and to continue three weeks; one term commencing on the second Monday of September, to continue three weeks, and one term commencing on the second Monday of December, to continue three weeks, in each and every year. In the county of Crawford, one term commencing on the second Monday of January, to continue two weeks; one term commencing on the third Monday of May, to continue two weeks; one term commencing on the first Monday of August, to continue two weeks, and one term commencing on the first Monday of November, to continue three weeks, in each and every year, the last two of which terms shall include the regular terms of the several courts now provided by law to be held in said county during the two months last aforesaid, by the president judge of said district, which said courts the said additional judge is hereby authorized and required to hold. In the county of Warren, four terms, to continue one week each, commencing on the first Monday of February, the second Monday of May, the third Monday of August, and fourth Monday of October, in each and every year; and in case of sickness or absence of the president judge at any regular term as fixed by law, the said additional judge shall preside in the courts of quarter sessions and other courts during such sickness or other absence; and when requested by the president judge, shall be required to hold the regular term of the court of quarter sessions and other courts now provided by law to be holden in the counties of Erie and Warren, not to exceed two terms of one week each in each of said counties for each and every year, and at such time as shall not be incompatible with his duties hereinbefore prescribed. Questions of law which may arise before the president judge or the said additional judge, may in the discretion of the judge be reserved for the determination of all the judges, either in term time or at such adjourned sessions as they may appoint and hold for the purpose.

Charges to juries.

SECTION 3. That whenever the parties or either of them shall request the court to charge the jury on particular points of law, drawn up in writing and handed to the court before the close of the argument to the jury, the judge who charges the jury shall reduce the answers to the points to writing, and read them to the jury before they retire from the bar to consider the verdict; and the said points and the answers thereto shall be filed immediately by the prothonotary and become part of the records of the case; and when exceptions are taken to the charge of the court in the manner now practised, it shall be the duty of the judge who delivers the charge to file the same in writing with the prothonotary before the rising of the court, or within thirty days thereafter.

Date and return of writs.

SECTION 4. That every writ for the commencement of an action shall bear date on the day of the issuing thereof, and may be made returnable as follows, to wit: the first Monday of each and every month, as well as the first day of each and every term of said court, except summons in partition, which shall be returned to the first day of the next term, and such process may be directed to be returned to either of the said monthly return days which may happen before the next term, or to the first return day of the next term, at the option of the party taking out the same; or in case there shall not be ten days between the issuing thereof and the first day of the next term, the same may

be made returnable on any Friday of the term, or on the next monthly return day thereafter, or to the first day of the next succeeding term: *Provided*, That no judgments for want of appearance shall be taken on motion in open court, or until ten days shall have expired after the service of the summons or other process; and in all suits instituted in said court where returns of such process are directed to be made to a monthly or other return day, the party may, after such return, file declarations and other pleadings, take judgments for want of affidavits of defence, put causes to issue and have them tried, and do all other matters and things in the prosecution of suits that might be done if the said writs were returned on the first day of any term of said court; and the stay of execution allowed by the third and fourth sections of the act, entitled "An Act relating to executions," passed the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, shall count from the return day to which the original process issued was made returnable.

SECTION 5. That in cases where special courts may be required, as contemplated in the twelfth section of the act of twenty-third March, one thousand eight hundred and thirty-nine, hereby revived, when both the president and additional judges of the common pleas in the sixth district shall be disqualified for holding the same, such case or cases may be certified by either judge to any president judge of the common pleas or judge of a district court in the commonwealth; and the said judges in the sixth district shall have the same authority and power to exchange with the judges of any district court, or with the president judge of any court of common pleas of this state, as is now by law given to the judges of the courts of common pleas to exchange with each other.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 412.

AN ACT

To incorporate the Fame Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That George W. Day, Jacob K. Vaughan, George P. Evans, Joseph R. Brognard, John W. Evermann, William W. Walters, L. Ney

LAWS OF PENNSYLVANIA,

Brogard and Barclay Lippincott, of the city of Philadelphia, are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company by the name and title of the Fame mutual insurance company, to be located in the city of Philadelphia, with a capital stock of one hundred thousand dollars, divided into shares of fifty dollars each, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and transact its business upon the mutual principle, in connection with its capital stock as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 413.

AN ACT

Relative to the Marietta and Mount Joy Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time allowed in the act, entitled "An Act to incorporate the Marietta and Mount Joy turnpike road company," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-one, and the supplement thereto, approved the third day of February, one thousand eight hundred and fifty-three, for the commencement of said turnpike road, is hereby extended for a period of two years, and the time of completing the same for a period of five years from and after the passage of this act.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 414.

AN ACT

For the relief of Eleanor Sprott, widow of Samuel Sprott, a soldier of the Revolution and Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Eleanor Sprott, of Lawrence county, a widow of Samuel Sprott, a soldier of the Revolution and Indian wars, a gratuity of forty dollars and an annuity of forty dollars during her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and half yearly thereafter on the first days of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 415.

A FURTHER SUPPLEMENT

To the act to incorporate the Somerset and Johnstown Plank Road Company, approved March twenty-fourth, one thousand eight hundred and fifty-one..

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of the Somerset and Johnstown plank road be and the same is hereby extended for the period of five years from the first of April, one thousand eight hundred and fifty-six, and that the said company be authorized and empowered to construct such parts of the said road between Somerset and Johnstown of stone or gravel as the managers thereof may in their discretion deem proper.

Time extended

LAWS OF PENNSYLVANIA,

Brognaard and Barclay Lippincott, of the city of Philadelphia, are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company by the name and title of the Fame mutual insurance company, to be located in the city of Philadelphia, with a capital stock of one hundred thousand dollars, divided into shares of fifty dollars each, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and transact its business upon the mutual principle, in connection with its capital stock as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 413.

AN ACT

Relative to the Marietta and Mount Joy Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time allowed in the act, entitled "An Act to incorporate the Marietta and Mount Joy turnpike road company," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-one, and the supplement thereto, approved the third day of February, one thousand eight hundred and fifty-three, for the commencement of said turnpike road, is hereby extended for a period of two years, and the time of completing the same for a period of five years from and after the passage of this act.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 414.

A N A C T

For the relief of Eleanor Sprott, widow of Samuel Sprott, a soldier of the Revolution and Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That he state treasurer be and he is hereby authorized and directed to pay to Eleanor Sprott, of Lawrence county, a widow of Samuel Sprott, a soldier of the Revolution and Indian wars, a gratuity of forty dollars and an annuity of forty dollars during her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and half yearly thereafter on the first days of January and July.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 415.

A FURTHER SUPPLEMENT

To the act to incorporate the Somerset and Johnstown Plank Road Company, approved March twenty-fourth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of the Somerset and Johnstown plank road be and the same is hereby extended for the period of five years from the first of April, one thousand eight hundred and fifty-six, and that the said company be authorized and empowered to construct such parts of the said road between Somerset and Johnstown of stone or gravel as the managers thereof may in their discretion deem proper.

Time extended

No. 417.

A SUPPLEMENT

To an act to authorize the consolidation of the Treverton and Susquehanna Railroad Company, and the Mahanoy and Shamokin Improvement Company, approved the twenty-fourth day of March, one thousand eight hundred and fifty-six.

Construction.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso in the ninth section of the act to which this is a supplement, shall not be construed otherwise than to prohibit the Treverton coal and railroad company owning any lands in Schuylkill county, other than those owned by the said Treverton and Susquehanna railroad company, and the Mahanoy and Shamokin improvement company, in said county, at the date of the passage of said act.

Borrow money.

SECTION 2. That upon the consolidation of said Treverton and Susquehanna railroad company with said Mahanoy and Shamokin improvement company, it shall and may be lawful for the said Treverton coal and railroad company to borrow an amount of money not exceeding nine hundred thousand dollars, and to issue its bonds therefor, bearing a rate of interest not exceeding seven per centum per annum, and to secure the payment of said bonds by a mortgage on its real property, together with its corporate franchises.

Application of money.

SECTION 3. That the proceeds of the sale of said bonds shall be applied by said company to the completion or improvement of its works, the equipment of its road, and other necessary purposes; and it shall be lawful for said company to dispose of said bonds at such rates and upon such terms as it shall deem most conducive to its interests: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 418.

A SUPPLEMENT

to an act to enable the Governor to incorporate a company for making an artificial road by the best and nearest route from the borough of York to the Maryland line, at the place the present York road passes the same, or as near thereto as the commissioners shall find expedient.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of managers or directors now required by the third section of the original act, approved thirty-first March, one thousand eight hundred and seven, be reduced, and that hereafter the stockholders shall choose by ballot, to be delivered in person or by proxy duly authorized, on the second Monday of March hereafter, one president, six managers and one treasurer to conduct the business of said company. Number of managers.

SECTION 2. That such part of the fifth section of the original act, approved March thirty-first, one thousand eight hundred and seven, requiring the transfer of the stock of said company to be made in the presence of two witnesses, be and the same is hereby repealed; and that hereafter all transfers of stock in said company, executed either in person or by attorney, upon the books of said company, in the presence of one witness, shall have the same effect and validity as if such transfer had been made on the original certificate of stock and executed in the presence of two witnesses, as has heretofore been the practice, the said transfer to be signed either by the principal or his attorney on the transfer books of said company. Repeal.
Transfers.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 419.

A SUPPLEMENT

to an act regulating banks, approved April sixteenth, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

LAWS OF PENNSYLVANIA,

the provisions of article fifth, section tenth, of an act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty, and the supplement thereto, approved the seventh day of May, one thousand eight hundred and fifty-five, be and the same are hereby extended to all the banks of this commonwealth.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 420.

A N A C T

Repealing an act authorizing the Supervisors of Armstrong township, in the county of Lycoming, to collect road taxes in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act approved the seventh day of May, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act authorizing the supervisors of Armstrong township, in the county of Lycoming, to collect road taxes in money," be and the same is hereby repealed, so far as the same relates to the township of Wolf, in said county.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 421.

A N A C T

To prevent the killing of wild game in certain townships in the counties of Juniata, Mifflin and Perry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

from the first day of Janury until the first day of September, in each and every year hereafter, it shall be unlawful for any person to shoot or kill, or destroy any wild turkeys, pheasants or gray squirrels, or rabbits or partridges, in the townships of Turbit, Milford, Fayette and Greenwood, in the county of Juniata; in the townships of Greenwood and Juniata, in the county of Perry; and in the townships of Bratton and Wayne, in the county of Mifflin, under the penal sum of five dollars, with costs of prosecution, for each and every offence, to be sued for and recovered before any magistrate in the county in which the offence was committed; one half of the penalty for the use of the informer, who shall be a competent witness, the other half for the use of the poor in the township in which the offence was committed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 422.

SUPPLEMENT

To an act to incorporate the Allegheny Mountain Health Institute, approved the twenty-ninth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William K. Piper, Thomas B. Moore, Edwin Cowan and James Reamer, be and the same are hereby added to the list of corporators of the Allegheny Mountain health institute.

SECTION 2. That the proviso to the sixth section of the act to which this is a supplement be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 423.

AN ACT

Relative to the courts of Carbon and Lehigh counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the courts of common pleas of the counties of Carbon and Lehigh, in addition to the powers heretofore conferred on them, shall have the same chancery powers and jurisdictions which are now by law vested in the court of common pleas of Philadelphia county, and the same shall extend to all bills now pending in said courts.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 424.

AN ACT

Authorizing a special tax in the city of Erie.

Special tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Erie shall have power to cause to be levied and assessed upon all taxable property, trades, occupations and professions in said city, a special city tax of any rate per centum not exceeding in any one year seven mills on the dollar of the valuation of such property, trades, occupations and professions, in addition to the amount now authorized by law to be levied and assessed.

How collected.

SECTION 2. That all levies and assessments by virtue of this act shall be assessed and collected in the same manner as other corporate taxes are now by law assessed and collected in said city, and may be included in the same or other duplicates of assessment; and when collected shall be paid into the city treasury, and shall be paid out under and by authority of resolutions of councils in the usual manner for the payment of any indebtedness of the city which has been contracted or may hereafter be contracted for purposes of general utility, benefit and

And disbursed.

improvement of said city, under the discretion of the councils, and shall be accounted for and audited in the manner now provided for by law.

SECTION 3. That the power conferred upon the said councils *Limitation.* by this act shall continue in force for two years and no longer.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 425.

AN ACT

For the relief of the widow of George W. Zeigler, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized to pay to Ellen B. Zeigler, widow of George W. Zeigler, deceased, the sum of five hundred dollars.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 426.

AN ACT

To authorize the Commissioners of the county of Bradford and the Town Council of the borough of Towanda to erect a public building.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Bradford and the town

Erection of building authorized.

council of the borough of Towanda are hereby authorized to erect and maintain, upon the public square in said borough, a suitable building for the keeping of fuel, fire engines and for other public purposes which they may deem necessary and advisable: *Provided*, That the town council of said borough shall contribute and pay all the expense of erecting and maintaining said building, and shall have the exclusive use of the same, with the exception of the basement story: *And provided also*, That the commissioners of Bradford county shall contribute and pay for the erection of said basement story, and shall have exclusive use of the same for public purposes.

Special tax authorized.

SECTION 2. That for the purpose of enabling them to build an engine house, as authorized by the first section of this act, the town council of the borough of Towanda, in the county of Bradford, are hereby authorized to levy and collect a special money tax in addition to that now authorized by law, not exceeding one-half cent on the dollar on the valuation assessed for county purposes, upon all property, offices, professions and persons taxable by the laws of this commonwealth for county rates and levies within said borough.

How collected.

SECTION 3. The warrant for the collection of said special tax shall be made out and the tax collected in the manner provided for the collection of borough taxes by the act of April third, one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs:" *Provided*, That it shall not be deemed necessary to give any new notice of appeal before issuing said warrant.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 427.

A SUPPLEMENT

To an act authorizing the laying out of a certain state road, approved the second day of May, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the names of William A. Mason, of Sullivan county, James Taylor, of Lycoming county, and James Masters, of Columbia county, be substituted for the names of the commissioners appointed to lay out a state road from Bloomsburg, Columbia county, to Laporte, in Sullivan county, by the first section of an act, approved the second day of May, one thousand eight hundred and fifty-

five, and they, or a majority of them, shall not make report as provided in the fourth section of said act, on or before the first day of December next.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 428.

A N A C T

Authorizing the Governor to commission an Auctioneer for the borough of Hanover, York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the governor is hereby authorized and required to commission, for a term not exceeding three years, some suitable person in the borough of Hanover, York county, as auctioneer, who is hereby authorized to sell at public auction in said borough all kinds of goods, wares, merchandize, lands, tenements and property of all kinds, yielding or paying to the treasurer of this commonwealth one per centum on all the property sold after he shall have sold annually property to the amount of ten thousand dollars, before he shall be compelled to pay anything to the state; and said auctioneer shall be authorized to make sales at such place in said borough at all times as he may select: *Provided nevertheless,* That the person appointed auctioneer as aforesaid, shall pay into the treasury of the commonwealth the sum of twenty-five dollars for his commission.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 429.

AN ACT

To establish a school among the Cornplanter Indians, in Warren county.

Preamble.

WHEREAS, There is yet remaining in Warren county, a small remnant of the Seneca Indians, known as the Cornplanter Indians, now occupying a reservation of a few hundred acres of lands, on the west bank of the Allegheny river; and as said Indians are averse to the sale of said lands, but design to remain permanently upon the same:

AND WHEREAS, It becomes necessary not only for the benefit of these Indian youths, but also of the surrounding whites, that they should be provided with the means and facilities of education, and not be left to grow up in indolence, ignorance and vice; therefore,

Appropriation for school.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the annual sum of one hundred dollars be and the same is hereby appropriated for the benefit of said Indians for the term of ten years, and that such appropriation shall be paid into the hands of the superintendent of schools in Warren county, whose duty it shall be to disburse the same in such manner as shall best promote the cause of education among said Indians: *And provided also,* That the said superintendent shall make a special report of the disbursements and state of said school or schools, in connection with his general report to the school department.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 430.

SUPPLEMENT

To an act to provide for the erection of a house for the employment and support of the poor of Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That each of said directors shall be entitled to receive for their services in attending the regular meetings of their board the sum

Pay of directors.

of thirty dollars per annum, and also be entitled to receive one dollar per day, in addition to the above named salary, for each day necessarily spent in attending to the duties of their office: *Provided*, That said sum for extra services shall not in any one year amount to over fifty dollars.

SECTION 2. That the board of directors shall have power to ^{May borrow} borrow such sums of money as may from time to time become money. necessary, by reason of any unforeseen emergency, to meet their expenditures and carry on the business of the corporation: *Provided*, That the sum or sums so borrowed shall at no time exceed in the aggregate the sum of two thousand dollars; and they shall have power to prevent any pauper from leaving the almshouse whenever in their opinion the public welfare shall so require, unless sufficient security be given to indemnify said directors against the return of such pauper within one year thereafter.

SECTION 3. That no magistrate shall send a pauper to said almshouse except on the oath of such pauper or some citizen ^{Sending of pau- pers regulated.} of the county; and it shall be the duty of the magistrate, with his warrant to the directors, to send also the oath of the person upon whose complaint such warrant shall be granted, setting forth the name, place of abode, condition and circumstances of the pauper; and the said directors may, after receiving the pauper, appeal from such warrant and order to one of the judges of the court of quarter sessions of said county, who, after reasonable notice to the magistrate granting the warrant and the citizen making the complaint, shall hear and adjudge whether such person is entitled to relief or not, and such adjudication shall be conclusive of the question for the time being.

SECTION 4. That the said board of directors shall have power ^{Officers.} to employ a clerk, an attorney and such other agents or officers as may be necessary for the better conducting of the affairs of said corporation, and to prescribe and direct what duties they shall respectively perform.

SECTION 5. That any constable of said county to whom a ^{Duty of constable} warrant for the removal of a pauper or paupers to said almshouse from the city, borough or township of which he is constable shall be directed by any magistrate, or one of the directors, shall be bound to execute the same under the penalty of ten dollars, to be sued for and recovered before a magistrate as debts of a like amount are recoverable, for the use of said directors; and such constable shall be entitled to receive from the directors one dollar for executing the warrant as to one pauper, and fifty cents for every additional pauper contained in the same warrant, and four cents a mile for every mile circular necessarily traveled in executing such warrant, which shall be in full for carriage hire and all charges in the premises.

SECTION 6. That hereafter the style and corporate name of ^{Style.} said institution shall be "The directors of the poor of Erie county," and their house shall be called the almshouse.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 431.

AN ACT

To authorize the School Directors of the borough of Kittanning to levy a special tax and borrow money for the erection of a common school house.

Tax authorized. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the common school directors of the borough of Kittanning, in the county of Armstrong, be and they are hereby authorized and empowered to cause to be levied and assessed upon all property, trades, occupations and professions taxable for school purposes, a special annual tax not exceeding in any one year seven mills on the dollar of the valuation thereof, in addition to the amount now authorized by law to be levied and assessed, for the purpose of erecting a common school house in said borough.

Collection of tax. SECTION 2. That all levies and assessments by virtue of this act shall be assessed and collected in the same manner as other school taxes are now by law assessed and collected in said borough, and may be included in the same or other duplicate of assessment, and when collected shall be paid to the treasurer of the board of school directors of said borough, and shall be paid out in warrants drawn on him by the said board of directors in the usual manner for the payment of the expenses incurred in erecting said house.

May borrow money. SECTION 3. The said school directors shall also have power to borrow such sum or sums of money, not exceeding two thousand dollars, as they may deem necessary to aid them in the erection of said house, and to execute the necessary securities for the re-payment of the same, on such terms and at such time as shall be agreed upon.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 432.

A SUPPLEMENT

To an act relative to huckstering in the counties of Berks and Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the dealers in goods, groceries and marketable produce who are required to obtain a license under the provisions of an act relative to huckstering in the counties of Berks and Lebanon, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, shall be classified, assessed and rated as wholesale dealers and retailers of merchandize are now classified, assessed and rated, under the several existing acts relative to mercantile taxes, and pay the same yearly tax and license fee as by said acts provided.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 433.

A N A C T

Authorizing the Canal Commissioners to open and examine the accounts of Sampson and Smith.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and are hereby authorized and required to examine the claim of Sampson and Smith, late contractors on the North Branch canal, for work done, and report what amount if anything is due them.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 434.

AN ACT

Concerning roads and highways in the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors of the several townships in the county of Crawford be and are hereby authorized to assess and collect a tax for road and bridge purposes such as they may deem necessary, said tax not to exceed one per centum on the dollar of valuation, and if the said supervisors shall deem it necessary they may collect a part of the tax so assessed in money: Provided, That the part so assessed shall not in any one year exceed three mills on each dollar of valuation.*

SECTION 2. That any act or acts of assembly inconsistent with the provisions of the foregoing section, be and the same are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 435.

A SUPPLEMENT

To an act authorizing the laying out of a certain Road in Fulton and Huntingdon counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act to which this is a supplement shall authorize the laying out of a state road, by the commissioners therein named, from a point on the Chambersburg and Bedford turnpike road, at or near the Burnt House on Sideling Hill, in Fulton county, to Broad Top City, on the Huntingdon and Broad Top railroad, in Huntingdon county; and that so much of the first section of the act approved the twenty-first day of March,*

one thousand eight hundred and fifty-six, as is inconsistent with this act, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 436.

AN ACT

To lay out a state road from Uniontown, in Fayette county, to Mount Pleasant, in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. N. H. Patrick, Uniontown; Robert Hitchman and John V. Commissioners. Reece, of Dunbar township, Fayette county, be and they are hereby appointed commissioners to view, lay out and mark a state road from Uniontown, in Fayette county, passing through New Haven and Connellsville to Mount Pleasant, in Westmore- Route. land county.

SECTION 2. That it shall be the duty of the said commission- Duties. ers, or a majority of them, after having been duly sworn or affirmed to perform the duties of their appointment with fidelity, carefully to view the ground over which the road to be laid out by them may pass, and lay out and mark a state road between the points aforesaid; for which they shall receive one dollar and fifty-cents per day for their services.

SECTION 3. That the said commissioners shall employ a sur- Draft. veyor, who shall make out a fair and accurate draft of the location of the road, noting thereon the courses and distances, streams and county and township lines; copies of which shall be deposited in the office of the clerks of the courts of quarter sessions of the counties of Fayette and Westmoreland, and from the date of such filing the said road shall be a public highway, and shall be opened and repaired as all other roads laid out by the county are made and repaired; and the width thereof shall be forty feet.

SECTION 4. That the amount required to pay the expenses of Expenses. said commissioners, the artist, chain carriers and other necessary employees, shall be paid by the commissioners of each county their proportional part, according to distance and time of laying out said road.

SECTION 5. That the commissioners shall meet on or before Meeting. the first Monday of June next, or as soon thereafter as a majority of them shall agree on, and complete the location of said

road as soon as practicable; and if any vacancy shall occur by resignation or otherwise, it shall be filled by the court of quarter sessions of Fayette county.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Spencer of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 437.

AN ACT

To incorporate the York Furnace and Harford County Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Dougherty, William Stokes, Alexander Martin, Joseph J. M'Sherry and Levi Shenk, of Lower Chanceford township; William Ilgenfritz, Asa Jones and Samuel Brannon, of Fawn township; James D. Ramsay, Henry T. M'Conkey, Joseph D. Wiley and Burgess W. Day, of Peach Bottom township, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the York Furnace and Harford County turnpike road company, with power to construct a turnpike road from the Susquehanna river, commencing at the west end of the York Furnace bridge, in Lower Chanceford township, York county, to intersect the Maryland state line at or near the township lines of Fawn and Peach Bottom, in said county, by such route as shall be found most practicable, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall consist of fifteen hundred shares of twenty-five dollars each, with power to increase their capital to three thousand shares of like amount.

SECTION 3. That said company shall have the right to construct their road upon any of the public roads between the points specified, or bridge or bridges that may be on said route or road; and whenever three miles or more of said road shall have been finished they shall have power to erect and set up one or more gates, and to levy and collect tolls from persons traveling or otherwise using the said road, at the rates prescribed in the act regulating turnpike and plank road companies already referred to.

SECTION 4. That if said company shall not commence the ^{Limitation.} construction of said road within two years after the passage of this act and finish the same within six years, then this act to be null and void, except so far as it shall be necessary to wind up the affairs of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 438.

AN ACT

To authorize the supervisors and school directors of Rockdale, Crawford county, to build a town house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of Rockdale township, Crawford county, Pennsylvania, in connection with the school directors, are hereby authorized to levy and collect a township tax, in said township, for the purpose of purchasing a lot of ground not exceeding one acre, and erecting thereon a town and school house, in such a way and manner as the parties may or shall agree upon; the said supervisors shall levy the aforesaid tax, not to exceed fifteen hundred dollars, upon all real and personal property, and all trades and occupations, and money at interest; and shall collect the same in money, at the time and in the manner, and by the same authority that the school tax is now or may be hereafter collected; and if any unappropriated balance shall remain in the treasury of said township, after paying for said lot, and for the erecting of said building, the balance shall be appropriated for the payment of any debt, or for the expense of said township: *Provided,* That the aforesaid tax shall be collected, and be kept in a separate fund for the above mentioned purposes; and that the aforesaid town and school house shall be furnished for election and other township purposes, on or before the second Tuesday of October, eighteen hundred and fifty-eight.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 439.

AN ACT

To change the time of holding the township elections in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the township elections in the county of Armstrong shall be held annually on Friday next preceding the first Monday in March, instead of the second Friday in March as now appointed by law.

SECTION 2. That the twentieth section of an act, entitled "An Act regulating election districts," approved the nineteenth day of February, one thousand eight hundred and forty-five, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 440.

SUPPLEMENT

To the act incorporating the Carbondale and Providence Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the Carbondale and Providence turnpike and plank road company are hereby authorized to call a meeting of stockholders of the same, to be held in the city of Carbondale, and at said meeting to submit the question to a vote of said stockholders, whether said company shall surrender all of its turnpike and plank road lying south of the north-east line of the borough of Providence; and if there shall be stockholders present representing a majority of the entire stock of said company, either by person or by proxy, and it shall be voted by stockholders representing a majority of the stock as aforesaid, to surrender the same, then and in that case such surrender shall be drawn up and signed by

aid stockholders, and shall be entered on the books of the company, and a copy thereof signed by the president and countersigned by the treasurer, may be served upon the supervisors of Providence township, and upon the burgess or principal officer of the borough of Providence, and also upon the chief officer of the borough of Scranton, if said Scranton shall have been incorporated into a borough; and thereafter the said Carbondale and Providence turnpike and plank road, south of said north-east line of Providence borough, shall be abandoned, and the rights and duties of the said company over the same shall cease and determine.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 441.

A N A C T

Relating to the Directors of the Poor of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all purchases and sales of real estate made by the directors of the poor of Delaware county shall be unlawful and void, unless the same shall be approved by the court of common pleas of said county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 442.

AN ACT

Relative to the Markets in North Second street, in the city of Philadelphia.

WHEREAS, The places along North Second street, in the city of Philadelphia, which by existing laws and ordinances are appropriated as market stands for regular farmers and gardeners for the sale of the produce of their respective farms and gardens, have for a long time past, in violation of said laws and ordinances, been taken possession of by venders of meat, who are not farmers or gardeners, to the exclusion, discouragement and detriment of such farmers and gardeners, to the injury of victuallers who pay the rents of stalls in the market houses, and to the annoyance of the storekeepers and citizens; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, in addition to the remedies now prescribed by laws and ordinances for the violation thereof, if any person or persons except regular farmers or gardeners, shall within the limits of Second street, north of Market street, in said city aforesaid, sell veal, mutton, beef, pork, or other butchers' meat, in such street, in less quantity than a quarter, or shall offer or expose the same for sale in less quantity than a quarter of such meat, he, she or they, may be forthwith arrested and proceeded against for a misdemeanor, and upon conviction thereof in the court of quarter sessions of the county of Philadelphia, be fined in any sum not exceeding fifty dollars for every such offence, at the discretion of the court, one-half of said fine to go to said city, and the other half to the person or persons so arresting or making complaint: *Provided,* That nothing herein shall be so construed as to refer to retailers and others selling said meats in stores or shops, or to victuallers occupying stands or stalls in the North Second street market houses in said city.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 443.

A N A C T

To authorize the Canal Commissioners to examine the claim of John S. Young for damages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the canal commissioners be and they are hereby authorized and required to examine the claim of John S. Young, for damages done to him by the killing of three horses and one mule, by a train of cars on the Columbia and Philadelphia railroad, on the eight of the fourteenth of September, Anno Domini one thousand eight hundred and fifty-four, and to adjust the same.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 444.

A N A C T

To appoint commissioners to view and lay out a state road in Warren and Crawford counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Warner Perry, James M'Gill, of Warren county; and Joseph L. Chase, of Crawford county, are hereby appointed commissioners to lay out by courses and distances a state road from Warren and Franklin turnpike, near the mouth of Gordons run, *Route.* in Deerfield, to Titusville, in Crawford county, via Enterprise. *Commissioners.*

SECTION 2. *And be it further enacted by the authority aforesaid, That* it shall be the duty of the said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with impartiality and fidelity, carefully to view the ground over which the said road may pass, and lay out the same as near to a straight line between the aforesaid points as the nature of the ground and other important circumstances will permit, and in such manner that the vertical departure from a horizontal line *Duties.*

- shall not exceed three degrees, unless it be at the crossing of ravines and streams, where by moderate filling or bridging the declination of the road may be preserved within that limit.
- Location.** SECTION 3. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners, or a majority of them, in choosing the ground, to have due regard to the crossing of water, to the declination and nature of the ground, to the expenses of the townships, to the damages to private property, and to all other circumstances affecting the route, so that by a judicious and skilful combination of them the route finally adopted may best promote the public good.
- Mark route.** SECTION 4. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners plainly and distinctly to mark upon the ground the route agreed upon for the road as aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the commissioners are hereby authorized to employ two chain bearers, one axeman and one staff bearer, at a per diem allowance not exceeding one dollar.
- Make drafts.** SECTION 5. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners to make out a fair and accurate draft of the said location, noting thereon the courses and distances from point to point, as they occur, the improvements they pass through, and also the crossing of county and township lines, roads or waters, with such other matters as may serve for explanation; one copy whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of December next, and one copy in the office of the clerk of the court of quarter sessions of the respective counties aforesaid, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof; and thenceforth the said road shall be to all intents and purposes a public highway, and shall be repaired in all respects as roads are repaired which are laid out by order of the courts aforesaid.
- Pay.** SECTION 6. *And be it further enacted by the authority aforesaid,* That the compensation of the commissioners shall be one dollar and fifty cents each, for every day necessarily employed by virtue of this act; and the accounts of the said commissioners for their own pay, and the pay of their hands as aforesaid, shall be adjusted and allowed by the commissioners of Warren and Crawford counties, and paid by the treasurers thereof, on warrants drawn in the usual way; each county to pay one equal half part of the expenses incurred in laying out the same; and if any vacancy or vacancies shall happen by the resignation of one or more of the commissioners, or by any other cause, the governor is hereby authorized to fill the vacancy or vacancies by a suitable appointment.
- Expenses, how paid.** SECTION 7. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners, to take from each and every person or persons owning lands along the roads by them respectively to be laid out, acquittances or releases from any blame or damages, upon the condition that such road shall pass through such person or persons' land or lands, and to file the same in the commissioners' office, in the proper county.
- Releases from landholders**
- Opening of road.** SECTION 8. That it shall be the duties of the said commissioners to open said road, and cause the same to be put in a condition for easy traveling; and the expenses thereof shall be

paid by the townships wherein the work is done; and the accounts of said commissioners for the construction of said road, shall be settled in the same manner as the accounts of supervisors of highways are now settled by the respective townships interested in the same.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 445.

AN ACT

For the relief of Joshua Walton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal commissioners be and they are hereby authorized and required to examine the claim of Joshua Walton, of Chester county, for damages alleged to have been done to his horses on the fourteenth day of February, one thousand eight hundred and fifty-six, and report the facts to this legislature.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 446.

AN ACT

Relative to the terms of Court in the county of Snyder.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

LAWS OF PENNSYLVANIA,

the December terms of the courts of Snyder county shall commence one week prior to the December courts in Union county, and continue one week, if necessary.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 447.

SUPPLEMENT

To an act relative to Land and Building Associations, approved the seventh day of March, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso in section second of the act of seventh March, one thousand eight hundred and fifty-three, limiting the quantity of land to be held or purchased for land and building associations to fifty acres, is hereby repealed, so far as relates to lands owned in Sullivan county, and the quantity extended to an amount which shall not exceed in value the limitation named in the fifth section of an act of twelfth April, Anno Domini one thousand eight hundred and fifty-one, viz: one thousand shares at one hundred dollars each.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 448.

A N A C T

To vacate a certain alley in the borough of Columbia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the alley extending from Walnut street to Gay street, in the borough of Columbia, as lies south-west of, and is not occupied by Commerce street, be and the same is hereby vacated.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 449.

A N A C T

To legalize the election of John S. Green as a Justice of the Peace in the borough of Laporte, in the county of Sullivan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the legality of the election of John S. Green as a justice of the peace in the borough of Laporte, in the county of Sullivan, shall not be impaired by any informality in said election; and the said John S. Green is hereby declared to be as competent to exercise the duties of said office as though he had resided in said borough during the six months preceding his election.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 450.

A SUPPLEMENT

To the act incorporating the Delaware and Schuylkill Plank Road company, et cetera, passed the twenty-sixth day of April, one thousand eight hundred and fifty.

Preamble

WHEREAS, The difficulties in the monetary affairs of the community for some time past, and the necessity for an increased width of the roadway in consequence of the marshy and depressed ground over which a large portion of the said road is to pass, requiring not only a considerable embankment, but also ditches of unusual width at its side, to drain off the water, have all contributed to prevent the completion of this road within the period limited by the said act of incorporation, and the supplement thereto, passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-two; now therefore,

Extension of time

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the period limited by the act, entitled "An act for the laying out of a state road from the town of Goldsborough, in York county," et cetera, et cetera, passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-two, for the commencement and completion of the Delaware and Schuylkill plank road, shall be and the same is hereby extended, so far as concerns the last named road, as follows: that is to say, the first section thereof, from or near the junction of either Front street or Church street with Keeler's lane, to Greenwich Point house, shall be completed within three years; the second section thereof, from Greenwich Point house to Broad street, shall be commenced and completed within four years; and the third section thereof, from Broad street to Sutherland avenue, shall be commenced and completed within five years from the first day of April next ensuing the passage of this act.

Width of road.

SECTION 2. That the width of the roadway of the said plank road from Greenwich Point house to Sutherland avenue, may be laid out (including the footing ditches by the side thereof, where the same are necessary,) of the width of eighty feet, subject, however, to all the regulations and restrictions (excepting as to the width thereof) contained in the acts of assembly relating to plank roads, under which the said company has been incorporated; and that so much of the said act and supplement, to which said act this is a second supplement, as is hereby altered is hereby repealed, and that so much thereof as has not been so altered and supplied, is hereby continued in full force and virtue: *Provided*, That the route of said road shall be approved, before the ground be taken, by the board of surveys of the city of Philadelphia, and a plan thereof be filed in the office of said board.

Proviso

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six. JAMES POLLOCK.

No. 451.

A FURTHER SUPPLEMENT

To an act to incorporate the Danville Gas Company, in the county of Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Danville gas company may hold their first election for directors of said company at any time after the passage of this act and prior to the first Monday of May, eighteen hundred and fifty-six, at such time and place as shall be determined upon by a majority of the corporators named in the first section of the act incorporating said company, of which time and place of holding said election five days' public notice shall be given; and the directors so elected at such election shall act as such until the first Monday of May, eighteen hundred and fifty-seven. Election.

SECTION 2. That any and all acts done and contracts made and entered into by the corporators named in the first section of the act incorporating the Danville gas company, as a corporation, prior to the first election of directors by the stockholders of said company, shall be and the same are hereby declared to be valid to all intents and purposes, as if such acts had been done and contracts made by the directors of said company, regularly elected by the stockholders thereof. Acts validated.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 452.

AN ACT

To incorporate the Bristol Gas Light Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles W. Peirce, Samuel Cabeen, John Dorrance, Andrew W. Gilkeson, L. H. Scott, Robert C. Beatty, William Hawk, William D. Parrish, and Samuel Swain, junior, Albert L. Packer, Corporators.

Style.	and all and every other person or persons who may become subscribers, according to the mode hereinafter prescribed, and their successors, are hereby created a body politic and corporate, in fact, by the name of the Bristol gas light company; and by said name the said corporation shall have power and authority to manufacture, make and sell gas, to be made of bituminous coal or other materials, for the purpose of lighting the streets, buildings, manufactories and other places situate within the limits of Bristol and its vicinity, and to enter into and execute contracts, agreements or covenants in relation to the objects of this corporation, and to be capable of purchasing, taking and holding any estate, real or personal, necessary to give effect to the specified purposes of this corporation, for the accommodation of their business and concerns, or which it may be necessary for the said corporation to acquire and hold for the purpose of securing debts due or owing to them in the regular business of said corporation: <i>Provided</i> , That the said real estate shall not exceed what may be necessary for the purposes mentioned, and no private lands shall be in any way injured or defaced without permission in writing first obtained from the owner or owners thereof.
Privileges.	
Pipes, &c.	SECTION 2. That so long as this act shall continue in force, the said corporation shall have power to lay down gas pipes and to erect posts, burners and reflectors in the streets, roads, lanes and public avenues of the borough of Bristol and its vicinity, in the county of Bucks; and the said company shall have power to do all other things necessary to light the said borough and vicinity, and the dwellings, stores, factories, hotels and other places situate therein: <i>Provided</i> , That the public travel shall at no time be unnecessarily impeded by the laying of the said pipes or the erection of said posts, and the streets, roads, lanes and public grounds shall be left in as good condition as before the laying of the said pipes or the erection of said posts.
Commissioners.	SECTION 3. That Charles W. Peirce, Samuel Cabeen, Andrew W. Gilkeson, William D. Parrish and Samuel Swain, junior, are hereby appointed commissioners for receiving subscriptions for the sum of thirty thousand dollars, to constitute the capital stock of said corporation, in shares of twenty-five dollars each; and said commissioners, or any two of them, shall open a book or books for that purpose, at such time and in such place or places within this state as they shall designate by a public advertisement to be previously inserted, for at least one week, in a public newspaper to be printed in or nearest to said borough of Bristol, and shall continue the same open until the said capital stock shall be subscribed, or at their discretion close the same after it shall have remained open one day, and again open the same at some other time or times, place or places, giving public notice thereof as aforesaid; and the sum of five dollars upon each share so subscribed shall be paid by each subscriber at the time of subscription to the said commissioners, or such of them as may open said subscription book or books, and each subscriber shall be entitled to receive a certificate for such stock from said commissioners; and the amount so received at the time of said subscription shall be, by the commissioners receiving the same, paid over to the directors of said company, to be appointed as hereinafter directed; and all the powers of said commissioners shall cease and determine on the appointment of such board of directors, and the said board when so appointed shall have power, and they are hereby authorized to open the
Their duties.	

books for the further subscription of stock, until the whole stock subscribed amounts to the sum of seventy-five thousand dollars: *Provided*, That the whole capital stock shall not at any time exceed the sum of seventy-five thousand dollars, and that no increase of said capital stock be permitted, unless the stockholders holding a majority of the stock already subscribed shall first give their written consent thereto; and they are also authorized to call upon said subscribers for the payment of further instalments in such sum or sums, at such time or times, and under such forfeiture or forfeitures as they may deem expedient, until the whole amount of said shares so subscribed shall have been fully paid.

SECTION 4. That the management of the concerns of said company shall be vested in five directors, to be selected from the stockholders, and the said directors shall choose, by plurality of votes, a president from among themselves, and as soon as conveniently may be, after thirty thousand dollars shall have been subscribed, the before-named commissioners, or any three of them, shall convene the said stockholders by public notice, and at such time and place as they shall designate in such notice, to choose the first board of directors, who shall hold their offices until the first Thursday in May next thereafter, and until their successors shall be chosen, and there shall be an annual election of directors by the stockholders, on the first Thursday in May of every year thereafter, at such time and place as the board of directors for the time being shall appoint, of the time and place of holding which election, at least ten days' notice shall be given in a newspaper published in or nearest the borough of Bristol; and any vacancy in said board of directors may be supplied by appointments to be made by the board of directors until the next annual election, and all elections of directors shall be by ballot of the stockholders, or their proxies, allowing one vote for each share which they shall have held in his or their name or names at least fourteen days before the time of voting, and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed the twenty-eighth day of March, Anno Domini one thousand eight hundred and twenty, entitled "An act to regulate proxies;" the board of directors for the time being shall have power to take from any treasurer or secretary, or other officers or agents appointed by them, such security for the faithful performance of their respective duties as they may think proper.

Directors.

Annual election.

Vacancies.

SECTION 5. That if at any time an election of directors be not held on the day herein appointed for that purpose, the corporation shall not be dissolved for that cause, but an election shall be held thereafter, at such time and place as the directors by their laws or other mode may appoint.

SECTION 6. That the directors for the time being shall form a board, and they, or a majority of them, shall be a quorum for transacting business, but any less number thereof may have power to adjourn.

Quorum.

SECTION 7. That the stock of the corporation shall be transferable, according to the by-laws and regulations of the corporation, and shall be considered as personal property, and the stock and transfer books shall be open at all times to the inspection of the stockholders.

Transfers.

SECTION 8. That if any person or persons shall wilfully do, or cause to be done, any act or acts whatever, thereby to injure

Penalty for injuries to work.

any conduit pipe, cock, machine, or structure whatsoever, or any other thing appertaining to the works of said corporation, or whereby the same may be stopped, obstructed, or injured. the person or persons so offending shall be considered guilty of a misdemeanor, and, being thereof convicted, shall be punished by a fine, not exceeding three hundred dollars, or imprisonment at hard labor, not exceeding two years, or both: *Provided*, That such criminal prosecution shall not in anywise impair the right of action for damages by a civil suit, hereby authorized to be brought, for any such injury aforesaid, by and in the name of said corporation, in any court having cognizance of the same.

Books.

SECTION 9. That the said company shall cause to be kept at their office proper books of accounts, in which shall be fairly and truly entered all the transactions of the company, which books shall be at all times open for the inspection of the stockholders.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 453.

A FURTHER SUPPLEMENT

To an act authorizing the governor to incorporate a company to erect a bridge over the Monongahela river, at the borough of Birmingham, in the county of Allegheny, with power to construct a turnpike road from the south end of Denman street, in said borough, to intersect the Monongahela and Coal Hill turnpike road, approved the third day of April, Anno Domini one thousand eight hundred and thirty-seven.

Time for com-
mencing.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time for commencing the erection of a bridge over the Monongahela river, at the borough of Birmingham, in the county of Allegheny, under the act, entitled "An Act authorizing the governor to incorporate a company to erect a bridge over the Monongahela river, at the borough of Birmingham, in the county of Allegheny, with power to construct a turnpike road from the south end of Denman street, in said borough, to intersect the Monongahela and Coal Hill turnpike road," approved the third day of April, Anno Domini one thousand eight hundred and thirty-seven, and the several supplements thereto, be and the same is hereby extended for the period of three years, from and after the passage of this act; and all the rights, liberties, privileges and franchises conferred by the said act, and the several

supplements thereto, upon the company incorporated under said act, and its several supplements, by the name, style and title of "The president and managers of the Birmingham and Pittsburg bridge company," be and the same are hereby confirmed unto the said corporation: *Provided*, That said bridge shall be completed within a period of seven years from the passage of this act: *And provided further*, That said company shall be subject to all the provisions and restrictions of the act regulating bridge companies, approved April twelfth, one thousand eight hundred and fifty-five.

SECTION 2. That it shall be lawful for the president, managers Election and other officers of said corporation last chosen, to continue to perform their respective duties, and to conduct the business of said corporation until the first Monday of July, one thousand eight hundred and fifty-six, and until other officers are chosen.

SECTION 3. That so much of the tenth section of the act to Repeal. which this is a supplement, as refers to a period at which the said bridge shall be declared free, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 454.

AN ACT

To incorporate the Carbon Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Cameron Lockhart, William Lilly, Tilghman Ahner, Andrew Graver, Dennis Bauman, Charles O. Skeer, James Broderick, junior, John Craig, Charles Packer, George Magner, Charles Nimpson, W. R. Otis and James J. Blakslie, are hereby appointed commissioners who, or a majority of whom are authorized and empowered from and after the passage of this act, to establish an insurance company by the name and title of the Carbon mutual insurance company, to be located in the borough of Mauch Chunk, with a capital of one hundred thousand dollars, with the privilege of increasing the same to three hundred thousand dollars, divided into shares of fifty dollars each; and said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited

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to the risks designated in the first class, in the seventh section of said act, and shall have the right to transact its business upon the mutual principle, in connection with its joint stock capital, as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 455.

AN ACT

To incorporate the Birmingham Gas Company, in the county of Allegheny.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That S. M'Kee, J. M'Knight, C. Ihmsen, John P. Pears, C. Deiseroth, Henry Whitfield, Daniel Davis, J. M. Fulton, John Myer, J. M. M'Elroy, Daniel Berg, John Evans and R. A. Bausman, and their associates, or persons who shall become stockholders, be and the same are hereby constituted a body politic and corporate,
Style. by the name and style of the Birmingham, East Birmingham and South Pittsburg gas company; and by the said name, they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever, and also contracting and being contracted with, relative to the business and objects of the corporation, as hereinafter declared, and their successors as aforesaid, shall have power to lease or purchase, in fee simple, such real estate as may be necessary for carrying on the business of said corporation.
Privileges.

Powers. SECTION 2. That the corporation hereby created for the purpose, and for such purpose shall have authority of supplying with gas light the borough of Birmingham, and such individuals residing therein and vicinity, as may desire a supply of the same, and corporations, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing necessary materials, with the right to enter upon any public street, lane or highway, for the purpose of laying down pipes necessary for conducting said gas, and to repair, alter and inspect the same, doing as little damage as possible to the streets, lanes and alleys, and repairing the injuries that may be done to the same with as little delay as pos-

ible; and securing the citizens from accident and danger whilst laying down and repairing their pipe.

SECTION 3. That the capital stock of said company shall be fifteen thousand dollars, to be divided into six hundred shares of twenty-five dollars each, with the right to increase the capital stock from time to time as the board of directors of said company shall deem necessary: *Provided*, That the capital stock shall not exceed fifty thousand dollars: *And provided also*, That when five thousand dollars shall have been subscribed, the company may commence operation: *And provided further*, That said company may, in lieu of increasing their capital stock, be authorized, if the board of directors shall so determine, to borrow money to an amount not exceeding the amount of said capital stock, may be increased, and to make and execute a mortgage or mortgages, pledge or pledges, of the property and effects of said corporation, for the security of the repayment of the amount borrowed, or give such other evidence of indebtedness as may be agreed upon: *Provided*, That no increase of said capital stock, in a manner aforesaid, shall be permitted, unless the stockholders holding a majority of the stock already subscribed, shall first give their written consent thereto.

Capital stock.

Borrow money.

SECTION 4. That the management and control of the Birmingham gas company, shall be vested in the persons named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their numbers a president, treasurer and secretary, who shall meet from time to time, and at such places within said borough of Birmingham, as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company; and that the stockholders of said company shall meet annually, on the first Monday in May, at such place as they shall determine upon, and elect nine directors for said company, all of whom shall be stockholders, who shall select from their numbers as aforesaid, a president, secretary and treasurer, for said company; the notice of such election for directors as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and the number of votes that each stockholder shall be entitled to at such election, shall be according to the number of shares owned by such stockholder, to wit: For each share not exceeding twenty shares, one vote; for every five shares above twenty shares, one vote; and no share shall confer a right to vote, which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and bona fide, in his or her own right, or in the right of his wife, or for his or her sole use or benefit, as an executor, administrator, trustee or guardian, or in the right, and for the use, of some copartnership or society, of which he or she may be a member.

Elections and officers.

Votes.

SECTION 5. That said company shall procure certificates or evidence of stock, for all the shares of the said company, and shall deliver one such certificate, signed by the president, and countersigned by the secretary, and sealed with the common seal of said corporation, to each person, for such share or shares of stock as are by him or her respectively owned; which certificates of stock shall be transferable, at his or her pleasure, in person, or by attorney duly authorized, in the presence of the

Certificates of stock.

president or secretary, in a book to be kept by the corporation for that purpose.

Meetings of directors.

SECTION 6. That the board of directors of said company shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who in the absence of the president shall choose a chairman, and shall keep minutes of their transactions fairly entered into a book, and a quorum being formed, they shall have full power and authority to purchase or lease lands for the gas works and erect the same, to appoint all officers, and employ such assistants as shall be necessary to carry out the objects of this corporation, to direct what orders shall be drawn upon the treasurer, which shall be signed by the president and countersigned by the secretary, to fix all salaries and rates for the use of the gas, to enact by-laws for the proper regulation and government of said corporation, and generally to do such matters, acts and things, as by this act and the by-laws of such corporation they are authorized to do.

Dividends.

SECTION 7. That the board of directors of said company shall declare dividends of so much of the net profits of the company as shall appear to them advisable, on the first Monday of June and December of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Penalty for using gas without authority.

SECTION 8. That if any person or persons shall open a communication into the gas main or other gas pipe of said company, without authority from the street inspector or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any pipes or burners in addition to the pipes originally put up and inspected, and introduce into them the gas, without authority aforesaid, or interfere with or injure any gas metre, he, she or they, shall be subject to a penalty of not less than five nor more than fifty dollars, to be recovered before any justice of the peace, as debts of like amount are by law recoverable, one-half to be paid to the informer, and the other half to the said company.

Penalty for injuries to works.

SECTION 9. That if any person shall wilfully or maliciously do, or cause to be done, any acts whatever whereby any building, construction, or works of said company, or any gas metre, gas pipe, post, burner, or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof, shall be punished by a fine, not exceeding five hundred dollars, or be imprisoned, not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to full compensation in damages by civil suit.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PLATT,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 456.

AN ACT

authorizing the incorporation of a Company for the building of a Toll Bridge over the river Lehigh, at or near the town of Rockport, in Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Broderick, Robert Q. Butler, Thomas R. Boyd, Charles L. Williams, Alexander Santee, R. D. Shoemaker and James Broderick, are hereby appointed to open books, receive subscriptions and organize a company by the name, style and title of the Rockport bridge company, to erect and construct a toll bridge across the river Lehigh, at or near the town of Rockport, in the county of Carbon, with a capital stock of five thousand dollars, to be divided into two hundred shares of twenty-five dollars each, with power to increase the number of shares, if necessary, to four hundred; and the same shall be organized, managed and governed as is provided by the act regulating bridge companies, approved the twelfth day of April, one thousand eight hundred and fifty-five, and to be subject to all the provisions and restrictions, and enjoy all the immunities and privileges contained in said act: *Provided,* That the said bridge shall be so constructed as in nowise to interfere with the improvements and works of the Lehigh coal and navigation company in, on or along said river Lehigh: *And provided further,* That said company shall commence the construction of said bridge within two years and finish the same within five years from the passage of this act, otherwise the same to be null and void, except so far as to wind up the affairs and pay the debts of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 457.

A N A C T

To incorporate the Farmers' Mutual Fire Insurance Company of West Penn, East Penn, and East Brunswick and Mahoning townships, in the counties of Carbon and Schuylkill, state of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Peter Seiberling, Gideon Whetstone, William Bockert, Alanson Knapp, Daniel S. Kistler, Charles M. Kistler, John Kistler, Andrew Habbes, Stephen Hoffman, Elijah Ziegler, Jacob Ziegler, Nathan Ziegler, David Rex, Philip Daubenspeck and George Knapp, are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be called and known by the name and title of The Farmers' Mutual fire insurance company of West Penn, East Penn, East Brunswick and Mahoning townships, in the counties of Carbon and Schuylkill, state of Pennsylvania, to be located in either of the townships aforesaid, which said company, when application shall have been made to said commissioners for insurance to the amount of at least one hundred thousand dollars, shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have the right to transact its business upon the mutual principle.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 458.

A N A C T

To incorporate the Catasauqua Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Joseph Laubach, John Thomas, William Getz, Samuel Glace, Corporators. John Williams, Joshua Hunt, junior, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Catasaquaga gas company, and by the said name they and their successors shall and may have perpetual succession, and shall in law be capable of suing and be sued, pleading and being impleaded, in all courts of law or equity within this commonwealth and elsewhere, and also of contracting and being contracted with relative to the business and objects of the corporation as hereinafter declared; and they and their successors as aforesaid, shall have power to lease or purchase in fee simple such real estate as may be necessary for carrying on the business of said corporation. Style.
Privileges.

SECTION 2. That the corporation hereby created is so created for the purpose of supplying with gas light the borough of Catasaquaga, in the county of Lehigh, and such individuals residing therein, and immediate vicinity, as may desire a supply of the same, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery and purchasing and preparing the necessary materials, with the right to enter upon any of the public roads, streets, lanes, alleys and side-walks, in the borough of Catasaquaga and vicinity, for the purpose of laying pipes for the distribution of gas as the company may deem necessary, and across them for the same purpose, doing as little damage as possible, with like privileges as to relaying or taking up or repairing the said pipes as often as the same may be necessary: *Provided*, That the said company in laying their pipes as aforesaid shall not obstruct or interfere with the grading and paving of the public roads, streets, lanes, alleys and side-walks aforesaid, nor with the laying sewers by the borough authorities of Catasaquaga, and shall immediately fill up said trenches and restore the said roads, streets, lanes, alleys and side-walks, and the private property as aforesaid, as near as may be to the same condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company. Objects.

SECTION 3. That the said company may have the right to lay their pipes through private property if necessary, for the distribution of gas as aforesaid, if they can agree with the owner or owners thereof as to the amount of damages to be paid by the company; but if they cannot so agree, then it shall and may be lawful for the court of quarter sessions of Lehigh county, upon the application of the president and managers of said company, setting forth what private property they desire to occupy for laying their pipes as aforesaid, to appoint three disinterested citizens of Lehigh county to assess the damages which may be sustained by the owner or owners of such private property through which they are desired to be laid, which said viewers, after having been duly sworn to perform the duties enjoined upon them by this act faithfully and impartially, shall proceed to view the premises through which the said pipes are desired to be laid as aforesaid, assess the damages sustained by the owner or owners of such private property, which said viewers shall make return of their proceedings in writing to the next court of quarter sessions, which report, together with a draft of Power to lay pipes, &c.
Damages, how ascertained.

the route on which the pipes are to be laid, shall be entered among the records of said court, and from thenceforth the said company shall have the right to enter such private property and lay their pipes as aforesaid: *Provided*, That the said company shall without delay fill up any trenches that may be dug in laying their pipes, as authorized by this act, and restore such private property as near as may be to the condition in which it was before such pipes were laid, at their own expense: *Provided further however*, That the said company shall not enter such private property before the damages assessed as aforesaid be fully paid to the owner or owners thereof, and all proper costs and expenses of such assessment be paid and satisfied.

Capital stock.

SECTION 4. That the capital stock of said company shall be fifteen thousand dollars, to be divided into six hundred shares of twenty-five dollars each, with the right to commence the erection of their works when three hundred shares of said capital stock shall be subscribed, and to increase said capital stock from time to time as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed fifty thousand dollars.

May borrow money.

SECTION 5. That the managers of said company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works, and to secure the payment of the same shall make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, or give such other evidence of indebtedness as may be agreed upon; and the said managers shall provide for the payment of the interest upon any loan made under this section out of the receipts for gas, before any dividends shall be paid to the stockholders.

Directors and their election.

SECTION 6. That the management and control of the Catawqua gas company shall be vested in the persons named in the first section of this act, until the periods herein fixed for the regular election of directors of said company, who shall choose from their number a president, treasurer and secretary, who shall meet from time to time and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscription to the capital stock of said company; and that the stockholders of said company shall meet annually on the first Friday in May, at such place as they may determine upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their number as aforesaid, a president, secretary and treasurer for said company; the notice of such elections for directors as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and the number of votes that each stockholder shall be entitled to at each election, shall be according to the number of shares owned by such stockholder, to wit: for each share not exceeding three shares, one vote; for every two shares above three and not exceeding ten, one vote; for every four shares above ten and not exceeding twenty, one vote; and for every five shares above twenty shares, one vote; and no share shall confer the right of voting which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and bona fide in his or her own right, or in

Votes.

the right of his wife or for his or her sole use and benefit, as an executor, administrator, trustee or guardian, or in the right and for the use of some co-partnership, corporation or society, of which he or she may be a member: *Provided*, That the restrictions in relation to the qualifications of voters in this section shall not extend to the first election held under this act.

SECTION 7. That the said company shall procure certificates or evidences of stock for all the shares of the said company, and shall deliver one such certificate, signed by the president and countersigned by the secretary and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificate of stock shall be transferable at his or her pleasure, in person or by attorney duly authorized, in the presence of the president or secretary in a book to be kept by the corporation for the purpose. Certificates of stock.

SECTION 8. That the board of directors of said company, shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of their transactions, fairly entered in a book; and a quorum being formed, they shall have full power and authority to purchase land for the gas works, and erect the same; to appoint all officers, and employ such assistants, as shall be necessary to carry out the objects of this corporation; to direct what orders shall be drawn upon the treasurer; which shall be signed by the president, and countersigned by the secretary; to fix all salaries and rates for the use of the gas; to enact by-laws for the proper regulation and government of said corporation; and generally to do such matters, acts and things, as by this act and the by-laws of such corporation they are authorized to do. Meetings of directors.

SECTION 9. That the board of directors of said company shall declare dividends of so much of the net profits of the company, as shall appear to them advisable, on the first Mondays of June and December, of each year, which shall be paid to the stockholders on demand, thirty days after the same shall have been declared. Dividends.

SECTION 10. That if any person or persons shall open a communication into the gas main, or other gas pipe of said company, without authority from the street inspector, or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any pipes or burners, in addition to the pipes originally put up and inspected, and introduce into them the gas, without authority aforesaid, he, she or they shall be subject to a penalty of not less than five, nor more than fifty dollars, to be recoverable before any justice of the peace, as debts of like amount are by law recoverable; one half to be paid to the informer, and the other half to said company. Penalty for illegally using gas.

SECTION 11. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending, shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be Penalty for injuries to works.

punished by fine, not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not, in any way, impair the right of said company to a full compensation in damages by civil suit.

Reservation

SECTION 12. That the legislature may, at any time, alter, amend or repeal the privileges hereby granted: *Provided however*, That no injustice be done to the corporators.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 459.

AN ACT

To authorize the Governor to incorporate the Boyerstown Water company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That George Mull, Samuel Shaner, Daniel B. Boyer, William Bender, Frederick H. Stauffer, Charles Keely, William K. Stauffer, Lewis S. Worman, Benjamin Riegner, Jeremiah Schwarzhart, Amos K. Strunk, Henry Borneman and David Fox, or any five of them, are hereby appointed commissioners for receiving subscriptions to the capital stock of a company to be denominated the Boyerstown water company, and for that purpose they shall procure a suitable book and enter in it as follows:—

Duties.

“ We whose names are hereto subscribed, promise to pay to the Boyerstown water company the sum of twenty dollars for each and every share of stock set opposite to our respective names, in such manner and in such proportions and at such times as shall be determined by the president and managers of the said company, in pursuance of the act of assembly authorizing the governor to incorporate the said company: Witness our hands, the day of , Anno Domini one thousand eight hundred and fifty-six;” the said book shall be kept open for the purpose aforesaid for three days, due notice being given, or until five hundred shares shall have been subscribed; and the officers of the said company, after the same shall have been organized, may at any time afterwards open said book for the subscription of shares, until the whole number of shares as aforesaid shall have been subscribed, if so many shall be required to carry into effect the purposes of this act: *Provided*, That every person offering to subscribe in the said book, in his or her own name, or in the name of any other person, shall previously pay

to the attending commissioner, commissioners, or officers, as the case may be, one dollar on each and every share subscribed, to defray the expenses attending the taking of such subscriptions and other incidental charges, which expenses and charges the said commissioners shall pay out of the moneys so received by them, and the balance, if any, shall be paid over to the treasurer of the said company, as soon as the same shall be organized, as hereinafter mentioned.

SECTION 2. That when one hundred shares of said stock shall have been subscribed for, and the said sum of one dollar paid on each and every share so subscribed for, the said commissioners, or any five of them, shall certify the fact to the governor of the commonwealth, with the names of the subscribers and the number of shares by each of them subscribed, and the amount paid thereon, whereupon the governor shall, by letters patent, create and erect the subscribers, and such who may afterwards subscribe, to the number of five hundred shares, into a body politic and corporate in law, by the name, style and title of The Boyerstown water company, in which name they may sue and be sued, and have perpetual succession, may purchase, receive and have, to them and their successors, all goods, chattels and estates, real and personal, as may be necessary and proper for carrying into effect the objects and purposes of this incorporation, and the same from time to time to sell, mortgage or otherwise dispose of, make dividends of the profits, as they may deem proper, and make and use a common seal, and the same to alter and renew at pleasure, and to ordain, establish and put in execution such by-laws, ordinances and regulations, as shall be necessary and convenient for the government of the said company, and the preservation and security of their property, not being contrary to the constitution and laws of the United States or of this commonwealth; and if penalties shall be inflicted by any such by-laws, they shall be recovered as debts of like amount are recoverable, or punished as like offences are punished, and generally to do all matters and things which lawfully appertain for them to do for the well being of the said company: *Provided*, That nothing herein contained shall be considered as in any way giving to said company any banking privileges whatever, or any franchises but such as are or may be necessary or incident to the supply and distribution of water in the village of Boyerstown and its vicinity.

SECTION 3. That any five or more of said commissioners shall, as soon as conveniently may be after the letters patent are obtained, give at least two weeks' notice in two newspapers, one of which shall be printed in the city of Reading, of the time and place for the subscribers to meet and hold an election for officers of said company, when such subscribers shall choose by ballot five managers, who shall be stockholders, three of whom at least shall be residents of said village of Boyerstown, to conduct the affairs of the company until the last Monday in January next ensuing, at which time and place, due public notice having at least two weeks previously been given as aforesaid, a new election for managers shall be held by the stockholders of said company, and annually thereafter; and the managers elected as aforesaid, shall elect from among their number one, who shall also be a resident of said village, who shall be president of the said board and of the company; they shall also elect a treasurer, who shall be a resident of said village, and a

Letters patent.

Style.

Privileges.

Organisation.

Election of officers

	stockholder in said company, but not a member of the board; and they shall also elect or appoint all such other officers and agents as they may deem necessary for conducting the business of said corporation, who shall perform the duties of their respective offices until they shall be re-elected, removed from office, or their successors shall be chosen; the said managers shall allow the persons so elected or appointed such compensation for their services respectively, as they shall deem reasonable, and generally exercise all other powers and authorities for the well governing and ordering of the affairs and funds of the said corporation as this act confers and allows, or as hereafter may be conferred and allowed by the laws, regulations and ordinances of the said corporation; in case of vacancies in the board of managers, or in any office of said company, the managers shall supply the same from among such as may be eligible to the position vacated, until the next annual election; in all the meetings of the said board of managers any three of them shall constitute a quorum, and in the absence of the president, either at a meeting of the managers or of the stockholders, a president pro tempore shall be chosen from among those then met: <i>Provided</i> , That at all elections for managers as aforesaid, each stockholder shall be entitled to one vote for every share of stock bona fide held by him or her, and that no person or body corporate shall have more than fifteen votes on his own account at any election, whatever number of shares such individual or body corporate may be entitled to.
Vacancies.	
Quorum.	
Votes.	
Certificates of stock.	SECTION 4. That the president and managers shall procure a common seal and certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder as soon as the whole amount thereon shall have been paid, and in the meantime, the said commissioners, or the treasurer of the company, shall issue scrip certificates, in the nature of receipts, for each instalment as it is paid in by the said shareholders; and said certificates of stock shall be transferable, at the pleasure of the holder, in the presence of the president, treasurer, or other person appointed by the company for that purpose, which transfer shall at once be entered on the books of the corporation, according to such rules and regulations as the managers shall for that purpose ordain and establish, and not otherwise, and when so entered, the holder thereof shall be a member of the said company.
Transfers.	
Capital stock.	SECTION 5. That the capital stock of the Boyerstown water company shall consist of five hundred shares of twenty dollars each, as aforesaid, and to be paid for after the first payment, in such manner as the board of managers may determine; which said capital stock may at any time hereafter, be increased, not exceeding one thousand shares of twenty dollars each; and if any subscriber for stock, his or her assignee, or transferee, shall neglect or refuse to pay the first, or any subsequent instalment, called for and demanded by the managers, as aforesaid, payment may be enforced by action of debt, in the corporate name of said company, against such delinquents, as in other cases; or said company may, at their discretion, declare said delinquent stock, and the money paid thereon, forfeited for the use of the said company, and new subscriptions may be opened and received for the share or shares so forfeited.
Payment of subscriptions.	
Powers of com-	SECTION 6. That the said Boyerstown water company shall have power, and are hereby authorized to bring and convey into

the village of Boyerstown, in the county of Berks, a sufficient supply of fresh and pure water, from any spring or springs, stream or streams of water, near or convenient to said village, by means of pipes, trunks or aqueducts, or in any other way; and to provide proper cisterns or reservoirs for the reception thereof; and for the purposes aforesaid, they are hereby authorized to take possession of, and divert from its present channel, any stream or streams as aforesaid, and to enter into and upon any land or enclosure that may be necessary; to dig trenches and lay pipes or trunks through the same; and to build tanks, dams or reservoirs, on or near said streams, and on any ground on or near said village, doing as little damage thereby as possible to private property, and paying for whatever land they may occupy, or for whatever injury they may do, in the manner following.

SECTION 7. That the said company shall have the right to enter into and upon any lands or enclosures, with their engineers, artists, assistants and workmen, to lay out and locate the said dams, tanks, reservoirs and the route for the said pipes or trunks, and so much land around such dams or reservoirs, and along said streams, as they may deem necessary to preserve the purity of said water; and after the same shall have been laid out and located to the satisfaction of said board of managers, it shall be their duty to give notice to the owners of said lands, (if they are known or can be found) on which the same has been so laid out and located, of the location thereof, and of the desire of the company to occupy and use the land and route so marked and laid out, and if said president and managers and owners cannot agree on the amount of damages or compensation therefor, either of them may apply to one of the judges of the court of common pleas of said county of Berks, or to said court when in session, who shall appoint a jury of three disinterested and judicious men, to view said land and route, and make report to said court what damage (if any) the owners of said land shall or may sustain by the use and occupancy thereof by the said company, for the construction of their works, or by the diversion of the waters of the aforesaid streams; whose report or award shall be subject to the right of appeal by either party, and when appealed from, shall be tried in said court as other cases in which damages are claimed by the plaintiffs, or if no appeal be entered within twenty days from the filing of said award, it shall have the effect of a judgment, and be collected in like manner, with the right to stay of execution according to law, upon adequate security being given by said company: *Provided*, That the aforesaid proceeding for ascertaining the damages, shall not delay the operations of said company in the prosecution of their work, but upon entering two or more sureties, to be approved by the said court, for the payment of the sum finally adjudged to be due, with costs, or upon depositing in court the amount which the said court shall adjudge sufficient to cover the same, the said company shall be allowed, and are hereby authorized and empowered to enter on and in said land and enclosures, with the necessary engineers, workmen, teams, tools and implements, and proceed forthwith to the construction and completion of all works necessary to carry into effect the objects and purposes aforesaid, and the same to alter, repair or renew whenever and wherever they may deem necessary, without any let or hindrance from the owners of said lands, or any others.

Entry upon lands.

Damages.

Viewers to be sworn.

SECTION 8. That the several jurors herein directed to be appointed, shall before they enter on the duties of their appointment, be sworn or affirmed to discharge the duties of said appointment with impartiality and fidelity, and to the best of their judgments, and shall receive the same compensation as jurors in other cases.

Power to lay pipes, &c.

SECTION 9. That the said company shall at all times have the privilege and liberty to dig trenches, and lay their pipes or trunks in, across and along all railroads, public roads, highways and streets, and across and along the streets, alleys and public grounds within the village of Boyerstown, and to alter, repair and renew the same as often as they may find it necessary, closing up and amending any breaches they may make, as soon as practicable.

Use of water.

SECTION 10. That when the said company shall have introduced the water into said village of Boyerstown, and shall have constructed the necessary buildings, reservoirs, fixtures, hydrants and pipes, wherever they shall deem the same necessary and proper, they shall then permit individuals and companies, at all times, to be supplied with water from the pipes laid by them for domestic or manufacturing purposes, and for the supply of stationary and locomotive engines; and their president and managers shall, from time to time, fix and determine uniform regulations, and rates or prices to be paid by those who may use the water, so that such rates or prices shall not cause oppression or injustice to any, but be so adjusted as to bear equally upon all whom they may concern; and if the said rates or prices be not paid according to the terms of the contract between those who may use the water and the company, the party so contracting and failing to pay, may be prevented from using the water until all arrearages due the said company therefor are paid; and all such arrearages may be collected by action as debts of like amount are recoverable. Any person or persons who shall take away any of said water for domestic or other purposes, without having previously contracted for the same with the said company, or shall wilfully permit any of the said water to be taken away, shall forfeit and pay for every such offence a sum not less than ten dollars to the said company, to be recovered as debts of like amount are recoverable by law: *Provided*, That whenever the citizens of Boyerstown, either by themselves or by the corporate authorities of Boyerstown, should it be hereafter at any time incorporated, shall erect fire plugs, to be used solely for the extinguishment of fires, the said president and managers shall permit the same to be connected with their pipes laid in said village, and allow the inhabitants thereof to take and use water through said fire plugs without charge, for the extinguishment of fires, but not otherwise. That nothing in this act shall prevent said company from receiving, purchasing or holding any real or personal property, stock or other securities, in payment of debts due them, or to secure the same in any manner that the interests of said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to sell, assign and convey the same, in fee simple, or otherwise.

Exemption.

SECTION 11. That five hundred shares of said stock, or whatever amount of the same shall be found to be required for the construction of said water works, shall be exempt from all taxation whatever, except that whenever the net annual income from the said water works shall exceed six per centum per annum on

the cost of the same, the excess shall be taxable for state purposes only at the same rates as are now imposed on the dividends of banks for said purposes.

SECTION 12. That any person or persons who shall wilfully destroy or injure in any manner the pipes, aqueducts, dams, tanks, cisterns, reservoirs, hydrants, buildings or machinery of the said Boyerstown water company, erected in pursuance of this act, or shall wilfully corrupt or permit anything to run or fall into any spring, or stream, or reservoir, from which the said company shall take water to be introduced into the said village of Boyerstown, which shall tend to corrupt the same or render it unpalatable, unwholesome or unfit for domestic or manufacturing use, or for the supply of stationary or locomotive engines, or shall bathe in any dam or reservoir of said company, or shall throw, lead or entice any animal into the same, on being convicted thereof before any justice of the peace on the oath of one or more creditable witnesses, shall pay a fine of not less than five nor more than fifty dollars, one-half for the use of the said company and the other half to the informer, and shall moreover remain liable to said company for all damages. Penalty for injuries to works.

SECTION 13. That the said company, if necessity require, shall have power at any time to borrow any sum of money not exceeding five thousand dollars, to be applied to the prosecution or improvement of the said work or works, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for security and re-payment of the same: *Provided*, That no bonds for a less sum than one hundred dollars shall be issued. May borrow money.

SECTION 14. That the owners of the said freehold, on and upon which the water of the said company is taken and used, shall in all cases be the parties with whom contracts for the use of the water shall be made, and the said real estate be bound for and liable for the payment of the same. Contracts for water.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 460.

A SUPPLEMENT

To the act to incorporate the Odd Fellows Mutual Insurance Company, passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Name changed. from and after the first Monday in May, Anno Domini one thousand eight hundred and fifty-six, the corporate name of the Odd Fellows mutual insurance company be and the same is hereby changed to that of "The City insurance company of Philadelphia," and by that name shall thereafter be known, as effectual for all purposes as if so named in the original act of incorporation; and be subject to all the responsibilities of, and possess and enjoy all the rights, powers and privileges heretofore granted to the Odd Fellows mutual insurance company.

Insurances.

SECTION 2. That the said City insurance company of Philadelphia shall have the power and lawful authority to insure goods, wares and merchandize in course of transportation, either inland, coastwise, or on voyage to and from foreign ports, and to take and effect all manner of inland and marine risks upon vessels, boats and cars used or to be used in the transportation of property or passengers, and to lend money on bottomry and respondentia.

Capital.

SECTION 3. That the capital stock of the said City insurance company of Philadelphia shall not exceed two hundred thousand dollars, and shall be divided into shares of fifty dollars each; the board of directors shall at the meeting to be held on the first Monday in May, Anno Domini one thousand eight hundred and fifty-six, or within thirty days thereafter, direct as to the manner and terms on which, and the time when said stock shall be subscribed; each subscriber shall at the time of subscribing pay to the treasurer of the said corporation an instalment of not less than five dollars upon each share of stock by him or them subscribed, and the remaining sum due on each share shall be paid in such manner as the directors shall thereafter direct: *Provided*, That no policy shall be issued under this act until ten dollars per share shall have been first paid in.

Directors.

SECTION 4. That the stockholders shall on the first Monday in May, one thousand eight hundred and fifty-seven, and on the same day in every year thereafter, elect fifteen directors to manage the affairs of the corporation.

Dividends.

SECTION 5. That the directors shall, on or before the first Monday in May in each and every year, ascertain the value of the previous year's business, and if the earnings of the company have been more than the expenses and losses, may make such dividends to stockholders as the earnings will warrant.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 461.

A FURTHER SUPPLEMENT

To an act to incorporate the Pennsylvania Railroad Company, passed April thirteenth, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania railroad company be and is hereby authorized to construct a railroad from a point on the Philadelphia and Columbia railroad, north of Market street, in the city of Philadelphia, near the repair shop of said company; thence passing behind the said shops across Market street; thence down the centre of Mansion street to the West Chester railroad; thence to some point on the west side of the river Schuylkill, at or near Grays Ferry bridge; thence crossing said river to the river Delaware and terminating thereon, south of the navy yard, by such route as may be most practicable and conducive to the public interests: *Provided however,* That the line of said road from a point one hundred feet north of the north side of Market street, to the south side of Chesnut street, and if practicable further south, shall be by means of a tunnel at such distance below the surface as not to interfere with pipes and culverts; and from the point where said tunnel may terminate to the south side of Walnut street, said road shall be under the surface by means of a tunnel or covered way, whichever may be most practicable; and from thence to a point one hundred feet further southward, by a covered way under or above the surface, as may be necessary; and on the line of said Mansion street, below Chesnut street, the location of said pipes and culverts may be altered by the board as shall be requisite: *And provided farther,* Said road shall not pass through any part of the Woodland cemetery without the consent of the directors thereof, and shall be located as regards grades and route with the approval of the board of survey of said city, and subject to such regulations as the councils of said city may from time to time ordain for the public convenience and safety.

Authorized to
make railroad.

Route.

SECTION 2. That the councils of said city are hereby authorized to widen to a width not exceeding one hundred feet, any of the streets of said city that may be occupied by the route of said railroad so extended, and to cause the same to be laid out upon the plans of said city of said increased width, the damages therefor to be ascertained in the manner now provided by law in reference to the opening of the streets of said city: *Provided,* That the said company shall first give security to said city for the payment of all such damages.

Certain streets
may be widened.

SECTION 3. That the said company shall have full power and authority to construct at the Delaware and Schuylkill rivers, on or contiguous to the line of said railroad, such area of ground not exceeding in the aggregate twenty-five acres, wharves, docks and warehouses, with the necessary appurtenances as may be required for the proper accommodation of the freight passing over said road, and to charge and collect storage and wharfage at reasonable and customary rates: *Provided however,* That other

Wharves, docks,
&c.

parties desiring to make connections with said railroad shall be at liberty to do so, under such regulations as may be necessary for safety and convenience: *Provided further*, That all freight and business of whatever kind carried over the Columbia railroad by the Pennsylvania railroad company and destined for the city of Philadelphia, or taken therefrom for westward transportation by said company, shall, whenever requested by the owner or transporter of such freight, be delivered or received in Market street by said company, as heretofore; and any evasion of this proviso shall subject the president and directors, or any other officer or agent assenting thereto, each to a fine of one hundred dollars for every offence, to be recovered as debts of like amount are now recoverable, one-half for the use of the complainant and the other half for the use of the guardians of the poor of said city.

Delivery of freight.

Penalty for not delivering as requested.

Connections.

Approved by stockholders.

SECTION 4. That the said company be and is hereby authorized and empowered to connect the said railroad with any railroads now or hereafter constructed within the limits of the city of Philadelphia, upon the route of said road so extended, on such terms and for such time and under such restrictions as may be agreed upon by the officers and directors of said companies.

SECTION 5. That before this act shall go into effect it shall be approved by the stockholders at a general meeting to be called for that purpose.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.
 WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 462.

AN ACT

For the relief of George Hollock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the sum of one hundred and eighty-four dollars and ten cents be and the same is hereby directed to be paid by the state treasurer to George Hollock, late superintendent of the state powder magazine, for repairs made by him to said magazine.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.
 WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 463.

A SUPPLEMENT

To an act to extend the charter of the Miners' Bank of Pottsville, in the county of Schuylkill, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Miners' Bank of Pottsville, in the county of Schuylkill, be and it is hereby authorized to increase its capital stock three hundred thousand dollars, and from and after said increase, the capital of said bank shall be five hundred thousand dollars, divided into shares of fifty dollars each: Provided, That the said bank shall within one year from the date hereof, pay into the treasury of the commonwealth a bonus of one per cent. on the said increase of capital stock, and that the said additional stock shall be divided, according to the number of shares held by them respectively, among such of the present stockholders as shall elect to take the same, after sixty days' notice, by advertisement, once a week, in at least two newspapers published in said county; and any stock that may not be so taken, shall be disposed of by said bank by public sale, at auction, in quantities not exceeding one thousand dollars.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 464.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Montrose and Harford Plank Road Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Montrose and Harford plank road company be and they are hereby authorized to construct a turnpike road, in lieu of a plank road, over such parts of their road as may by the board of man-*

agers be deemed necessary: *Provided*, That in constructing and keeping in repair said turnpike road, the said company shall comply with all the requirements of the general statutes upon that subject, and shall be entitled to demand the tolls provided by law.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 465.

AN ACT

To incorporate the Braddock's Field and Turtle Creek Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Parker, William G. Hawkins, Isaac Mills, John Black, John Adams, William Brown, Boyle Irwin, Robert Milligan, William L. Miller, Samuel Elder, A. Brown and John Robison, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of The Braddock's Fields and Turtle Creek turnpike company, with power to construct a turnpike road from a point near the Six Mile ferry near the Monongahela river, to the Greensburg turnpike, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided*, That when the company hereby incorporated shall have completed two or more miles of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth January, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of three hundred shares of twenty-five dollars each: *Provided*, That the said company may from time to time, by a vote of its stockholders, at a meeting called for the purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true intent and meaning of this act.

SECTION 3. That said company is hereby authorized to occupy any portion of the site of the Pittsburg and Braddock's Field plank road which may be deemed eligible in the location of their road, if the said Pittsburg and Braddock's Field plank road

company, by a vote of three-fourths the value of the stock, shall give their assent thereto, or shall have abandoned the same.

SECTION 4. That if the said company shall not commence the construction of their road within three years, and complete the same to the Four Mile run within five years thereafter, this act shall be null and void, except so much thereof as may be necessary to wind up the affairs and pay the debts of the company. *Limitation.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 466.

A SUPPLEMENT

To the act to provide for the erection of a house for the employment and support of the poor of the county of Bedford, approved March first, one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor and of the house of employment for the county of Bedford, be and they are hereby authorized to borrow any sum of money not exceeding two thousand dollars, to be used in the payment of the debts of said institution, at a rate of interest not exceeding six per centum per annum, and to be secured by mortgage on real estate of the corporation, or in such other manner as may be agreed upon.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 467

AN ACT

For the relief of Rennes Henegan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer is hereby authorized and required to pay Rennes Henegan, of the county of Armstrong, widow of James Henegan, a soldier in the Indian war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-six, and payable half yearly thereafter on the first days of January and July.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 468.

AN ACT

Authorizing the laying out of a State Road from the Twenty-fourth ward in the city of Philadelphia, to the Spring Mill road, at or near its intersection with the Conshohocken road, in Montgomery county.

Commissioners.

Duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Fox, of the city of Philadelphia, and Allen W. Corson and E. W. Beans, of Montgomery county, be and they are hereby appointed commissioners to view and lay out a state road, commencing in the Twenty-fourth ward of the city of Philadelphia and terminating in the Spring Mill road, at or near its intersection with the Conshohocken road, in Lower Merion township, Montgomery county: *Provided, That* said road shall connect at or near the county line, with a street westward of Belmont avenue, as the same is or may be laid on the plan of said city.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking and subscribing an oath or affirmation before an alderman or justice of the peace, to perform the duties enjoined upon them by this act with impartiality and

fidelity, to carefully view the ground over which said road may pass, and to lay out the same on the nearest and best ground, and in no place to exceed an elevation or declination of five degrees from a horizontal line, except at crossing of ravines and streams, where by a moderate excavation, filling or bridging, the elevation or declination may be preserved within that limit.

SECTION 3. That it shall be the duty of said commissioners to make out a fair and accurate draft of the location of said road, respectively noting thereon the courses and distances as they occur, the improvements, crossing of township lines, roads and waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the secretary of the commonwealth on or before the first day of July next, and one copy in the office of the court of quarter sessions of the city of Philadelphia, and one copy in the office of the clerk of the court of quarter sessions of Montgomery county, on or before the day aforesaid, which shall be a record thereof. Drafts.

SECTION 4. That the said commissioners shall meet on or before the first Monday in May next, or as soon thereafter as practicable, and complete the view of said road and such other duties as are enjoined upon them by this act; and should any vacancy or vacancies occur by resignation, refusing to serve or otherwise, the courts of quarter sessions of the city of Philadelphia and of Montgomery county shall have power to fill such vacancy or vacancies occurring in the board of commissioners from said city or county respectively. Meeting.
Vacancies.

SECTION 5. That it shall be the duty of said commissioners to mark the ground on the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same. Mark route.

SECTION 6. That it shall be the duty of the supervisors of the townships through which said road may pass, to open and repair the same to the breadth of forty feet, and in all respects as roads laid out by orders of the courts aforesaid. Opening of road.

SECTION 7. That the said commissioners shall receive a per diem allowance not exceeding two dollars for each day necessarily employed in the discharge of the duties enjoined by this act; and the said commissioners shall have power to employ one surveyor to assist them in the discharge of their duties, who shall be allowed the sum of two dollars for each day necessarily employed, according to the provisions of this act, and two chain carriers and one axeman, who shall be allowed one dollar each per day. Pay.

SECTION 8. That the accounts of said commissioners for their own pay and for the pay of their surveyor, chain carriers and axeman, shall be made out and returned to the councils of the city of Philadelphia and to the commissioners of Montgomery county, in proportion to the time occupied in said city and county respectively in locating said road, and that they be paid out of the treasury of each, in warrants drawn in the usual manner. Accounts to be settled.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 469.

AN ACT

Relative to the borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second proviso to the first section of the act of the twenty-eighth of April, one thousand eight hundred and forty, relative to said borough, and which provides that no person shall be compelled to pave any foot way to a greater width than five feet, in front of any vacant lot, be and the same is hereby repealed, so far as it relates to Centre street, in said borough.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 470.

AN ACT

Relating to roads in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of eleventh February, one thousand eight hundred and fifty-four, entitled "An Act to consolidate and amend the road laws of the counties of Beaver, Butler and Lawrence, be and the same are hereby extended to the county of Berks.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 471.

AN ACT

To vest in the corporation of the city of Philadelphia certain real estate, freed and discharged from certain uses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That a certain lot of ground, situate on the west side of Twenty-first street, east side of Twenty-second street, and south side of Vine street, in the city of Philadelphia, containing in front or breadth on said Twenty-first and Twenty-second streets, one hundred and two feet, and in length or depth east and west on said Vine street, three hundred and ninety-six feet, bounded north by Vine street, east and west by Twenty-first and Twenty-second streets respectively, and south by ground now or late of the heirs of Thomas Clifford, deceased; and a certain other lot of ground in the said city, situate on east side of Twenty-second street, and west side of Twenty-first street, containing in front or breadth on said Twenty-second and Twenty-first streets, at the distance of two hundred and four feet from the south side of Vine street, one hundred and twelve feet, and in length or depth east and west, three hundred and ninety-six feet, bounded north by ground now or late of the heirs of Thomas Clifford, deceased, east by Twenty-first street, west by Twenty-second street, and south partly by ground now or late of Benjamin Taylor, and partly by ground now or late of the heirs of Samuel Yorke, deceased, which were granted to the mayor, aldermen and citizens of Philadelphia, by patent from the commonwealth, bearing date December thirteenth, one thousand seven hundred and ninety, for a burial ground for deceased strangers, be and the same are hereby vested in the corporation of the city of Philadelphia, freed and discharged from the use mentioned in the said patent.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 472.

A SUPPLEMENT

To the charter of the Consolidated Insurance Company of the city of Philadelphia, approved the twenty-eighth day of April, one thousand eight hundred and fifty-four.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the power and privilege of insuring the lives and health of individuals now enjoyed by the Consolidated insurance company of the city of Philadelphia, be and the same is hereby repealed.*

Directors.

SECTION 2. That the number of directors of the said company shall hereafter be twenty-five.

Increase of capital.

SECTION 3. That the said company shall have the authority to increase the capital stock to the extent of five hundred thousand dollars: *Provided, That at least ten per cent. of said increase of capital stock shall be paid at the time of the subscription thereto.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 473.

A FURTHER SUPPLEMENT

To an act establishing an Academy in the borough of Somerset, in the county of Somerset, approved March nineteenth, one thousand eight hundred and ten.

Election of trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John D. Roddy, William H. Koontz and William J. Baer, are hereby authorized to hold an election for trustees of the Somerset academy, on the first Monday in May next, at said academy, and all persons who shall have paid to said Roddy, Koontz and Baer, or either of them, for the use of said academy, the sums mentioned in the sixth section of the act of tenth April, one thousand eight hundred and twenty-six, shall be permitted to vote for trustees, according to the scale of voting in said section prescribed, and the trustees of said academy shall be elected at the same place annually thereafter.*

Votes.

SECTION 2. The number of trustees to be elected hereafter shall be three, and any vacancy occurring shall be filled by the survivor or survivors; and said trustees are hereby authorized to raise funds for the erection of buildings and support of said academy, by the sale of scholarships, or otherwise, under such regulations as may be prescribed by the by-laws of said academy. Number of trustees.
May raise money

SECTION 3. Said trustees are hereby authorized to lease for any term of years, such parts of the real estate belonging to said academy to the directors of common schools of the borough of Somerset, and their successors, as may be necessary for the erection of suitable buildings to accommodate the common schools of said borough; or, if deemed advisable, said trustees may unite with said school directors in the erection and support of a union school, upon such terms as may be agreed upon by May lease real estate.
And build a school house.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 474.

AN ACT

Authorizing the erection of a house for township purposes, in Mill Creek township, Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners and school directors of the township of Mill Creek, in the county of Erie, be and they are hereby authorized and required to erect, or cause to be erected, in Eagle village, in said township, a house of sufficient dimensions to accommodate the meetings of the road commissioners and school directors of said township, to be used also for election purposes: *Provided,* The same shall be erected on or before the first day of October, one thousand eight hundred and fifty-six. Erection of house.

SECTION 2. That the qualified voters of Mill Creek township, in the county of Erie, shall hereafter hold their general and township elections at the house authorized to be erected by this act, in Eagle village, in the said township. Elections where to be held.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 475.

SUPPLEMENT.

To the act incorporating the Kittanning Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Kittanning bridge company by resolution of its managers are hereby authorized to issue a preferred stock to the amount of ten thousand dollars, to enable said company to repair the bridge structure recently destroyed by a storm, and said company to have power to pledge the revenues of said bridge, after the paying expenses, to the payment of seven per centum interest on said preferred stock.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 476.

AN ACT

For the Preservation of the Records of the Courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the judges of the several courts of record of the county of Philadelphia, and of the supreme court for the Eastern district of Pennsylvania, to ascertain the condition of the records of the court, and if the same be not properly arranged, labelled and recorded, the clerks and prothonotaries of the several courts shall cause the same to be so done, in manner for convenient reference and their safe preservation, by a person or persons to be appointed by them; and the expenses to be incurred by this service, on the first occasion, shall be paid by an order of the president judge of the court on the city treasurer, after an appropriation therefor by the councils of the city of Philadelphia: Provided, That the expenses of so arranging and labelling, and preparing papers for recording, shall not, in any one office, exceed in Philadelphia one thousand dollars, nor be at a*

Duty of judges in Philadelphia.

Expenses, how paid.

greater rate than two dollars per day, to any person who shall fully devote all his time to the satisfaction of the court, in such service.

SECTION 2. That the records required to be recorded under this act, in addition to others now required by law to be recorded, shall be all fines, recoveries and other proceedings to bar entailments or contingent remainders, all reports and sheriff's inquests to make partition of real estate, and all reports of juries, laying out public highways which have been confirmed by court, together with the judgment, order or decree of the court thereupon made, and which shall not have been heretofore recorded; and the books containing such records now existing, and those to be made, with exemplifications therefrom, shall be received in all courts of justice as competent evidence; and the prothonotaries and clerks of court shall receive the same compensation for copying and exemplifying such records, as by law the recorder of deeds can charge, and be subject to the same penalty for any excess in taking fees; and the cost of recording all such records relating to real estate and roads now in arrear, shall be paid by orders as aforesaid upon the county treasurers where such real estate and roads are situated; and all future cases shall be recorded at the expense of the parties instituting the proceeding, and be recoverable from them by law; and the prothonotary or clerk shall be entitled to demand and receive the fees therefor, before placing the same of record.

What to be recorded.

Fees for, how paid

SECTION 3. That any prothonotary, or clerk of court, who shall hereafter neglect to record all such records as the law requires, and to keep arranged and carefully preserved the public records under his care, in manner as directed by the court, shall be guilty of a misdemeanor in office, and upon conviction of such delinquency in the discharge of his duty, shall be fined in the discretion of the court of quarter sessions of the proper county, in any sum not exceeding five hundred dollars, for the use of the county.

Neglect of duty made a misdemeanor.

SECTION 4. That it shall be the duty of every register of wills to keep a minute book, duly indexed, in which shall be entered minutes, showing what papers have been filed in his office, and also what collateral inheritance taxes have been paid, and on what estates.

Duty of registers.

SECTION 5. It shall be the duty of the register of wills, in Philadelphia county, to keep a minute book, in which shall be entered minutes, showing what papers have been filed in his office, and also what collateral inheritance taxes have been paid, and on what estates, and receive therefor ten cents for making said entry of each paper, and each item of property briefly described; and for certificates thereof the same fees as for recording done in his office, besides thirty-seven and a half cents for the seal.

Duty of register of Philadelphia county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 477.

AN ACT

To authorize the appointment of an Auctioneer in the borough of Pittston in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly, passed the thirtieth day of March, one thousand eight hundred and fifty-four, entitled "An Act to authorize the appointment of an auctioneer in Clinton¹ county, and in the borough of Meadville, in Crawford county," be and the same are hereby extended to the borough of Pittston, in Luzerne county.

Appointment of
auctioneer author-
ized.

Prohibitions on
auctioneer.

SECTION 2. That the auctioneer appointed under the authority of this act, nor any one for him, shall import or cause to be imported from any place without the limits of the county of Luzerne, any goods, wares and merchandize of any description, either directly or indirectly, for the purpose of exposing them to sale within the borough of Pittston; nor shall said auctioneer sell by himself or agents, any goods so imported for the purpose of being so exposed to sale at auction, under the penalty of one hundred dollars, to be sued for and recovered in the manner and for the uses specified in the third section of this act.

Restrictions on
sale by auction.

SECTION 3. That no person or persons shall, under pretence of declining business, dispose of his, her or their goods or merchandize at public auction in the said borough of Pittston, unless such person shall have resided and been a licensed retailer in the said borough for at least six months immediately preceding such sale, and that under such pretence of declining business, no person or persons as aforesaid, shall dispose of his, her or their stock of goods or merchandize by public auction in said borough more than once in any term of twelve successive months; and every person or persons offending against this section shall, upon conviction, forfeit and pay the sum of fifty dollars for each and every day he, she or they shall offer such goods at auction, to be sued for and recovered, one-half for the use of the person suing and the other half for the use of the school fund of the said borough.

Exceptions.

SECTION 4. That the provisions of this act shall not prevent a sheriff, coroner, constable or other officer from disposing of any property upon which he may levy as heretofore.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 478.

AN ACT

Relative to the Coroner of Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all cases hereafter of violent deaths in the county of Northampton, when an inquest shall be held on the body of the deceased, and it shall be deemed necessary by the coroner or justice of the peace holding the inquest to call upon a surgeon or physician to make a post mortem examination, the fee to be received of the county by such surgeon or physician shall be fifteen dollars, unless the commissioners of the county shall be of opinion that his services deserve more, when it may be increased by them to such an amount as they may think just.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 479.

AN ACT

To legitimate Mary Clendening.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Mary Clendening, daughter of Robert Wallace, now of Lawrence county, Pennsylvania, shall have and enjoy all the rights and privileges, benefits and advantages, of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely, to all intents and purposes, as if she had been the legitimate child of the said Robert Wallace.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 480.

AN ACT

To authorize the extension of the Chester Valley Railroad and the West Chester Railroad, by the construction of a road to connect the same.

Extension authorized.

Subject to.

May mortgage road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Chester Valley railroad company and the West Chester railroad company, or either of them, or for any company to be hereafter incorporated for that purpose under the provisions of the general railroad act of this commonwealth, to connect the said railroads, by constructing a railroad from any point on the said Chester Valley railroad to any point on the said West Chester railroad, subject to the provisions respecting the payment of damages, and all other provisions, restrictions and enactments contained in the general railroad act of this commonwealth, approved on the nineteenth day of February, one thousand eight hundred and forty-nine: *Provided,* That the road so to be constructed shall not exceed in length the distance of five miles.

SECTION 2. The said companies, or either of them, shall have the same power in regard to mortgaging the road so to be constructed, and the issuing of bonds and preferred stock, and securing to any holders thereof priority of payment over all other claims, as the power granted and conferred in the act relating to the Chester Valley railroad company, approved on the twenty-fourth day of February, one thousand eight hundred and fifty-two.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 481.

AN ACT

Relating to the location of the boundary line between the counties of Carbon and Luzerne.

Preamble.

WHEREAS, By the sixth section of the act of ninth February, one thousand eight hundred and fifty-three, entitled "An Act authorizing the governor to incorporate the Strasburg and Wil-

low Street turnpike road company; relative to the Lafayette railroad company, and to the collection of taxes in Warwick township, Lancaster county," it was provided that the commissioners, or a majority of them, to run, mark and establish the county line between the counties of Carbon and Luzerne, should file their report within sixty days from the passage of that act:

AND WHEREAS, The said commissioners did file their report in the proper office in Luzerne county, on the fifteenth day of March, one thousand eight hundred and fifty-three, and in the proper office in Carbon county, on the eighteenth day of April, one thousand eight hundred and fifty-three:

AND WHEREAS, It is doubtful whether failure to file in one county within the time specified in the act may not lead to difficulties hereafter, and the said counties having paid for the running, marking and establishing said line, it is right and proper that the same should be settled; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said report shall be deemed, taken and considered as having been duly filed and in time under said act, and that the line so run, marked, established and reported shall be the boundary line between said counties. Filing of report legalised.

SECTION 2. That so much of the territory of the county of Luzerne as is embraced within the lines and description hereafter given, shall be and the same is hereby annexed to and made a part of the county of Carbon, said line to begin at a post corner in the line established and confirmed by the preceding section, and also in a line of a tract of land in the warrantee name of George Smithers, junior; thence north three degrees east one hundred and forty-eight perches, to a stone corner in line of a tract of land in the warrantee name of Jeremiah Smith; thence north sixty-nine degrees east five hundred and thirty-two perches, crossing the said Jeremiah Smith and another tract in the warrantee name of Henry Smithers, to a stones corner by a pine; thence south eighty-seven degrees east two hundred and twenty perches, to a stones corner in line between tracts in the warrantee name of Samuel Scott and Alexander Hunter; thence south eighty-nine and a half degrees east one hundred and fifty perches, to a post corner in the said county line, the said line being one run on the eighth and ninth days of April, Anno Domini one thousand eight hundred and fifty-six, by Henry Colt, deputy surveyor of Luzerne county. Part of Luzerne county annexed to Carbon.

SECTION 3. That the said Henry Colt be and he is hereby authorized and required, upon the approval of this act, to go upon the ground and carefully to run and thoroughly mark said line, embracing the territory hereby annexed to the county of Carbon, and where no living monuments can be had for corners, he shall cause permanent stone corners to be put down; and as soon as the work shall have been completed on the ground, he shall make two accurate drafts thereof, noting courses, distances and corners, et cetera, thereon, one of which shall be delivered to the commissioners of Luzerne county, and one to the commissioners of Carbon county, to be filed in their respective offices; the expenses of which survey and marking the same, Line to be run and marked.

LAWS OF PENNSYLVANIA,

and making said drafts, shall be borne in equal shares by said counties.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 482.

AN ACT

To authorize the appointment of Notaries Public in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and he is hereby authorized and empowered to appoint a notary public for this commonwealth, to reside in the city of Carbondale, Luzerne county, who shall be in addition to the number now authorized by law to be appointed for that county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 483.

AN ACT

Relative to Hawking and Peddling in Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter no person or persons who are not residents of the county of Clearfield, shall sell, or expose to sale, within the limits of said county, as a hawker or pedler, or traveling mer-

chant, any tin, japan, copper, sheet-iron or hollow-ware, without first obtaining a license so to do, and paying therefor to the treasurer of said county, for the use of the commonwealth, fifty dollars, which license the treasurer of said county is hereby authorized and required to grant upon the payment of such sum.

SECTION 2. That if any person shall so engage or be concerned in hawking and peddling as aforesaid within said county, without having first obtained a license as aforesaid, he shall forfeit and pay the sum of one hundred dollars, the one-half for the use of the commonwealth, and the other half for the use of the person who shall prosecute for the same, the said penalty to be recovered by action of debt before any justice of the peace in said county, as debts of like amount are by law recoverable.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK,

No. 484.

AN ACT

to incorporate the Mount Pleasant and Latrobe Plank and Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward Braden, Daniel Shupe, Martin Overholtz, Robert Hitchman, Christopher Soudal, Abraham Horback, Thomas Hurst, Thomas Latta, Joseph Jack, John Giffin, Mathias Stockbarger, Jesse Kilgore, David Williams, John L. Chambers, George Tennett and George Smith, or any five of them, be and they be hereby appointed to open books, receive subscriptions, and organize a company, by the name, style and title of The Mount Pleasant and Latrobe plank and turnpike road company, with the power to construct a plank or turnpike road, or a part thereof of a plank road and a part a turnpike road, by the nearest and best route, from, at, or near Mount Pleasant, to or near Latrobe, in Westmoreland county, subject to all the provisions and restrictions, and with all the powers and privileges contained and specified in an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided,* That the said company shall have the right to use any public bridge on the line of the route of their road, and to locate their road on the ground occupied by any public or private road between said points, when and wherever found

Commissioners

Style.

Route.

Subject to.

Proviso.

necessary by said company to do so; and it shall be the duty of the court of quarter sessions of Westmoreland county to appoint viewers to view and vacate such parts of any public or private roads as shall be used and rendered useless by said company, as is provided by the general road laws of this commonwealth in cases of roads which have become vacant and useless: *And provided*, That such said road may be made by said company of any grade and elevation not exceeding five degrees from a horizontal line: *And provided further*, That said company shall not be required or compelled to discriminate in the matter of tolls in favor of wagons and vehicles having broad wheels and tires.

Grade.

Tolls.

Capital.

Borrow money.

Limitation.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of twenty-five dollars each, and at any meeting of the stockholders called for the purpose, the stock may be increased by a majority of those present, to such an amount as may be necessary to complete said road, according to the true intent and meaning of this act; and the president and directors of said company are hereby authorized to borrow any amount of money, on such terms, at such rate of interest, and on such security as they may agree on with the lender or lenders thereof, not exceeding the amount of their capital stock which may be necessary to construct and complete said road, their doing so being first approved of and sanctioned at a meeting of the stockholders called for the purpose, by a majority of those present: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

SECTION 3. That if said company shall not commence the construction of said road in two years, and complete the same in four years from the passage of this act, then this act shall be null and void, except so far as may be necessary to wind up and settle the affairs and pay the debts of the company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 485.

SUPPLEMENT

To an act to incorporate the Lancaster and Willow Street Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Lancaster and Willow Street turnpike*

and company to charge and receive from all teams passing over said road, laden with more than four tons burthen, double the rates of toll authorized to be charged by the act of incorporation of said company; and the said company shall not be held liable for any damage sustained by teams laden with more than four tons burthen, in consequence of the giving way of any culvert, bridge or embankment on said road.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 486.

AN ACT

Defining the place of keeping the records of the county surveyor of the counties of Washington and Erie, and authorizing the deficiency in the original surveys to be supplied.

WHEREAS, There is only a portion of the original drafts of surveys of the counties of Washington and Erie to be found on the county books, occasioning great inconvenience to persons wishing to obtain said drafts; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county surveyor in and for the counties of Washington and Erie, are hereby authorized to supply the deficiency, from the original surveys in the office of the surveyor general, and copy the same in a suitable book, with suitable indexes; and that the said book, when certified by the surveyor general to be a true copy of the original surveys, and submitted to and approved of by the general court of quarter sessions of the peace of the said counties, shall be received in evidence in any judicial proceedings, in the same manner as the original, and that the commissioners of said county shall, out of the funds of the county, pay the said county surveyor a reasonable compensation, to be by them fixed. Duty of county surveyors.

SECTION 2. That from and after the first day of July next, it shall be the duty of the county surveyor of the counties of Washington and Erie, by himself, or by his deputy duly authorized, to deposit and keep at an office within the county seat of said county, all the records, books, surveys, warrants and other papers pertaining, or which may hereafter pertain to his office, except the one unfinished book, in which he may, from time to time, be entering the last current surveys, until the same be com- Records to be deposited.

LAWS OF PENNSYLVANIA,

pleted; and all of said records shall be kept open at all reasonable times, for the inspection of any citizen.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 487.

A FURTHER SUPPLEMENT

To an act incorporating the North Branch Coal and Iron Company, approved March twenty-fifth, one thousand eight hundred and forty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the North Branch coal and iron company may employ any part of its capital heretofore authorized, for any of the purposes of its general business, or of the objects authorized by its charter or the amendments thereto; and in case of a failure to elect directors at the proper time and place, the former directors shall continue in office until their successors shall be duly chosen, at such time and place as said directors may appoint, with such notice as is provided in the charter.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 488.

SUPPLEMENT

To the charter of the Easton Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

in case it shall be deemed necessary for the Easton gas company in completing the extension of their pipes to South Easton and meeting expenses connected therewith, said company shall be authorized and are hereby authorized to increase their capital twenty-five thousand dollars. May increase capital.

SECTION 2. That the board of nine directors for said company chosen at the next annual election, shall hold three of them for the term of three years, three for two years, and three for one year, which same shall be determined by lots cast between said directors, at their next meeting after the election; and that at the annual elections thereafter three directors only shall be chosen, whose term of office shall be for three years instead of as heretofore, except when necessary to fill a vacancy occasioned by resignation, death or otherwise. Directors classified.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 489.

A SUPPLEMENT

To an act to prevent obstructions to the navigation of Oswayo creek or its tributaries, in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to prevent obstructions to the navigation of Oswayo creek or its tributaries, in the county of Potter," approved the sixth day of April, one thousand eight hundred and fifty-four, be and the same are hereby extended to that portion of said Oswayo creek and its tributaries which pass through the county of M'Kean, and to all other streams in said counties of Potter and M'Kean, which have been or may hereafter be declared public highways; and the proceedings to collect the fines for violation of said act and of this supplement, shall be before any justice of the peace of the county in which the violation may be committed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 490.

AN ACT

To prevent the destruction of fish in Cherry creek, Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* **Shutes to be made** persons owning or having erected mill dams across Cherry creek, in the county of Monroe, shall, on or before the first day of September next, erect the necessary shutes or slopes to said dams, so as not to prevent the fish from ascending or descending said stream.

SECTION 2. That any person who shall neglect or refuse to comply with the provisions of the first section of this act, shall forfeit and pay the sum of five dollars per month for every month he so neglects, to be recovered as debts of like amount are now recovered before a justice of the peace, which shall be paid by the justice of the peace to the overseers of the poor of the township in which such dam is erected. **Penalty for neglect.**

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 491.

SUPPLEMENT

To the act of the twenty-seventh of May, one thousand eight hundred and forty-one, entitled "An act relating to the Election of County Treasurer, and other purposes."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the fifteenth section of the act of the twenty-seventh May, one thousand eight hundred and forty-one, entitled "An act relating to the election of county treasurer, and other purposes," shall not hereafter authorize the holding of an inquest by a justice of the peace within the county of Allegheny, except in cases where it is impracticable to obtain the personal attendance of the coroner, after notice given to him, or reasonable and proper efforts

made to give him notice of the death, and of the necessity of his official attendance.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 492.

AN ACT

To legalize the election of Borough Officers in the borough of Tunkhannock, Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the acts of the present borough officers of the borough of Tunkhannock, in Wyoming county, shall be as valid and binding in law as though they had been elected upon the day fixed by law for the election of borough officers; and they shall continue in office until the next annual election for officers in said borough.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 493.

AN ACT

For the sale of that portion of the Pennsylvania Canal situate between the south-east end of the tunnel through Grant's hill and the Monongahela river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

LAWS OF PENNSYLVANIA,

the canal commissioners are hereby authorized to sell and dispose of, either at public or private sale, all the right, title and interest of the commonwealth in that part of the Pennsylvania canal situate and lying south-east of the tunnel through Grant's hill, in the city of Pittsburg, to the Monongahela river, and all the stone, fixtures and materials upon and belonging to the same, on such terms and conditions as they may deem advantageous to the interests of the commonwealth.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 494.

AN ACT

To vacate Clearfield street between Thirty-third street and ground of the church of Saint James the Less, in the Twenty-first ward of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of Clearfield street, in the Twenty-first ward of the city of Philadelphia, as lies between Thirty-third street and ground of the church of Saint James the Less, shall be and is hereby vacated.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

No. 495.

AN ACT

For the relief of Philip P. Feleers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and required to pay Philip P. Feleers, of Luzerne county, one hundred and fifty dollars, in full, for his claim for damages for loss of a pair of horses and injury to wagon on the North Branch canal, as per award of canal commissioners made to the last legislature.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 496.

AN ACT

To vacate part of Hart Lane, in the City of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the portion of Hart lane extending from Ridge avenue to Thirty-second street, in the Twenty-first ward of the city of Philadelphia, be and the same is hereby vacated, and the title to the soil over which said portion of said lane passes, be and the same is hereby vested in fee simple in the owners of the ground fronting thereon respectively, each owner to have and take that part lying in front of his or her ground, to the middle thereof.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 497.

AN ACT

Relating to Justices of the Peace in the borough of Franklin, in the county of Venango.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commission of any justice of the peace residing upon the territory which may be admitted into the borough of Franklin, in the county of Venango, under the provisions of the thirtieth section of an act regulating boroughs, approved third April, one thousand eight hundred and fifty-one, shall continue for said borough during the residue of the term for which said justice is commissioned.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 498.

A FURTHER SUPPLEMENT

To an act to incorporate the Blockley and Merion Plank Road Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Blockley and Merion turnpike and plank road company having constructed its road upon the bed of the Merion avenue so far as the River road, the same shall be deemed and taken as a compliance with the act of assembly approved the thirteenth of April, Anno Domini one thousand eight hundred and fifty-four, and entitled "A further supplement to an act, entitled 'An Act to incorporate the Blockley and Merion plank road company,' approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three;" and that the said company shall not be obliged to extend its road to the Haverford road, but it is authorized to connect its road with the Lancaster*

turnpike at the River road, or any other road leading into the Lancaster turnpike west of the River road.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 499.

A N A C T

To authorize the State Treasurer to pay the claim of Patrick O'Neal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the canal board are hereby authorized to examine the claim of Patrick O'Neal for the sum of one hundred and fifty-eight dollars, for work alleged to have been done by him on the Allegheny Portage railroad, in the year one thousand eight hundred and fifty-three, and upon their award in his favor for the whole or any part of said amount, the state treasurer shall pay the same.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 500.

S U P P L E M E N T

To the act incorporating the borough of Cassville, passed the third day of March, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Boundaries defined.

from and after the passage of this act, the boundaries of the borough of Cassville, in Huntingdon county, shall be as follows: commencing at the south-west corner of the grave-yard lot, thence north eighty degrees west twelve perches, to a stone; thence south seventeen degrees west one hundred perches, to a post; thence south twenty-six degrees east twenty perches, to a chesnut; thence south sixty-five degrees east seventy-two perches, to a white oak stump; thence north eighteen degrees east one hundred and sixteen perches, to a stone; thence south eighty-five degrees east forty perches, to a post; thence north fifty perches, to a stone; thence north eighty-five degrees west forty perches, to a pine stump; thence north twenty-five degrees east one hundred and two perches, to a maple; thence north sixty-five degrees west twenty-five perches, to a hickory; thence south thirty-one degrees west sixty-two perches, to stones; thence north eighty-one degrees west twenty one perches, to a post; thence south seventeen degrees west seventy perches, to a post; thence south thirty-six degrees west twenty-five perches, to the place of beginning.

Separate school district.

SECTION 2. That the present Cassville school district shall include the enlarged borough limits, and shall remain a separate district for school purposes, any previous act to the contrary notwithstanding.

Borough elections

SECTION 3. That the time for holding borough elections shall be changed to the third Friday in March annually, at which time it shall be lawful for the qualified electors of said borough to elect, in addition to their present borough officers, one assessor and two assistant assessors to make the assessments for said borough for all taxable purposes.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PLATT,

Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 501.

AN ACT

Relative to the Borough of Bath.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act contained in the fourth article of the third section of the general law regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, which requires publication to be made in one

newspaper, be and the same is hereby repealed so far as relates to the borough of Bath, in Northampton county.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 502.

AN ACT

Relative to the sale of Lands for the non-payment of Taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all public sales of land hereafter made by the treasurer or commissioners of the several counties of this commonwealth in pursuance of the laws of this commonwealth, the rule of *caveat emptor* shall apply, except in cases of double assessment, or where the taxes on which the sale is made shall have been previously paid, or where the lands do not lie within the county; and neither said treasurer nor commissioners shall be required to refund the purchase money, costs or taxes paid upon any tract or tracts of land so sold as aforesaid. Sales regulated.

SECTION 2. That from and after the passage of this act, assessors, supervisors, and collectors of road and school taxes, be and they are hereby required to make their returns for the collection of all taxes on unseated lands on or before the first day of January in each and every year, and if not so made by said assessors and collectors, such returns shall not thereafter be received, nor shall such taxes be a lien on real estate: *Provided,* That this section shall not be construed to exempt any such assessors and collectors, and their bail, from liability for not making their returns according to law. Returns by assessors, &c.

SECTION 3. That it shall be the duty of supervisors and collectors of road taxes, and of all collectors of any other taxes whatever, to make return to the county commissioners of any exonerations claimed by them, on or before the first day of January in each year; and it shall not be lawful for the said county commissioners to grant any exonerations after that time, nor for the county treasurer to sell any lands which shall have been returned and taxes exonerated, after the said time. Exonerations claimed to be returned.

SECTION 4. That it shall not be lawful after the first day of January, Anno Domini one thousand eight hundred and fifty-seven, for the county treasurer of any county of this commonwealth to charge and receive any fee for advertising any land Advertising lands

LAWS OF PENNSYLVANIA,

for sale for non-payment of taxes, when the owner or owners thereof shall pay said taxes on or before the first day of March previous to the day of sale for taxes, in the year in which such sale shall be advertised.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 503.

AN ACT

For the payment of the claim of John Donaldson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to pay to John Donaldson, late contractor on the Tunkhannock line of the North Branch canal, on sections one hundred and eleven and one hundred and twelve, the sum of two thousand seven hundred and two dollars and fifty-five cents, in full of his claim for difference between the first and second contract prices for said sections, agreeably to a report of the auditor general, dated February seventh, one thousand eight hundred and fifty-five, made to the legislature in pursuance of the act of eighth May, one thousand eight hundred and fifty-four.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 504.

SUPPLEMENT

To an act to provide for the construction of a Dam and In-Let Lock at the mouth of Mill creek, in the county of Luzerne, approved April fifth, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the guardian of John M. Hollenback, a minor, is hereby authorized to release to the commonwealth all claims for damages by reason of the construction of the works in the act mentioned, to which this is a supplement, as also in this: *Provided,* That the approbation of the orphans' court of Luzerne county be first had and obtained. Release of damages.

SECTION 2. That the canal commissioners be and they are hereby authorized to enter into a written agreement with George M. Hollenback, on receiving a release of the damages he may sustain by the construction of said works, providing the mode, manner and amount he shall draw of water from the pool or canal, for use as a water power, at or near the location of his present grist mill; and the said commissioners may also construct a towing path along the pool of said works and such other works and devices connected with said contemplated improvement as they may judge conducive to the public advantage: *Provided,* The cost of the whole shall not exceed the sum appropriated by the act to which this is a supplement. Contract with George M. Hollenback.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 505.

AN ACT

To repeal an act to improve the Turnpike Road from Indiana to Kittanning.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of last session, entitled "An act to improve the turnpike road from Indiana to Kittanning," approved twenty-seventh day

LAWS OF PENNSYLVANIA,

of April, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 506.

AN ACT

Relative to the license of Carriages, Wagons, Carts, Drays, and other vehicles, in the borough of Birmingham, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Birmingham, in the county of Allegheny, shall have full power and authority to ordain, enact, repeal or amend, all such ordinances or by-laws of said borough as to them may appear proper and expedient, requiring, under such penalty as the said council may direct, the owner or owners of all carriages, wagons, carts, drays, and other vehicles of burden, which may or shall pass over the paved streets or alleys of said borough, whether such owner or owners be resident or non-resident within said borough, where such vehicles may be used for purposes of business in the borough or elsewhere, to register the same at the office of the burgess, in a book to be kept for that purpose, and to pay such reasonable license to said borough for such use of said streets and alleys, as the council may by ordinance order and direct: *Provided,* That nothing hereinbefore contained shall be construed to authorize the burgess and town council aforesaid to charge a license on the wagons or carriages of travelers merely passing through said borough, nor the wagons or vehicles of farmers bringing to market or elsewhere the produce of their farms, or used for the accommodation of their families.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 507.

AN ACT

To incorporate the Swatara Collegiate Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That here be and hereby is erected, established and incorporated, at or near the borough of Middletown, in the county of Dauphin, in this commonwealth, a seminary for the education of young persons, males and females, in the various branches of general knowledge, science, literature, domestic economy and the learned and foreign languages, under the name, style and title of the Swatara collegiate institute, the said seminary to be under the management, direction and control of eighteen trustees, who shall appoint one person as president, one person as treasurer, and one person as secretary; nine of said trustees shall constitute a quorum and be competent to fill vacancies in their own body, also to prescribe the duties authorized and required to be performed by the different officers whom they may select, of whom the president and treasurer shall be chosen from among the said trustees.

Location.

Name.

Officers.

SECTION 2. That the first trustees of said seminary shall consist of the following persons, to wit: John Winbrenner, George Muller, Jacob Rife, Simon Cameron, Felix Nisley, James Young, George W. Etter, Daniel A. L. Lavery, George Ross,manuel Shaeffer, John S. Gable, Michael Shelly, Philip Irwin, Philip Zimmermann, E. J. Ramsey, Morris Johnson, J. S. Watson and Adolphus Fisher, which said trustees and their successors to be hereafter elected by the stockholders of said seminary, shall forever hereafter be and they hereby are created into and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the trustees of the Swatara collegiate institute, by which name, style and title the said trustees and their successors shall be able and capable at law and in equity to purchase, take, hold and possess to themselves and their successors, for the use of the said seminary, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or her effects by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons or corporations whatsoever: *Provided,* That the annual income of the same, exclusive of the income or receipts from the pupils, their parents or guardians, does not exceed the yearly value of ten thousand dollars; and the same messuages, lands, tenements, hereditaments and estates, real and personal, to grant, bargain, sell, convey, assign, demise, rent, lease and to farm, let and to take out on interest, or otherwise dispose of or invest for the use of the said seminary or to the stockholders, and to erect the necessary buildings thereon for the use of said seminary, in

First trustees.

Privileges.

Annual income.

such manner as shall seem to them most beneficial, and to receive the rents, issues, profits and income of the same, and to apply the same in dividends among the said stockholders in proportion to the amount of stock held by each person; and by the same name to sue, commence actions, prosecute and defend, implead and be impleaded, in any court of law or equity, and in all manner of suits and actions whatsoever, and to transact all matters and things incident thereto, as fully and effectually as any natural person or body politic or corporate have power to manage their concerns.

Supervision and annual statement SECTION 3. That said seminary shall be under the general supervision and control of the East Pennsylvania Eldership of the Church of God, and the trustees are hereby required annually to make a statement of the condition of said seminary to the Eldership at its annual meeting.

Powers SECTION 4. That the said corporation may cause to be made for their use a common and corporate seal, by and with which all deeds, certificates, appointments and acts of the said corporation shall pass and be authenticated, and the same seal at their pleasure to break, alter or renew; and by the advice of the faculty of said seminary, the said trustees may confer diplomas or certificates of scholarship upon such pupils as shall have completed in a satisfactory manner the prescribed course of study.

Subscriptions. SECTION 5. That the said trustees herein named, are hereby authorized to open books on or before the first day of June next, and enter therein as follows: We whose names are hereunto subscribed, do promise to pay to the trustees of the Swatara collegiate institute, the sum of twenty-five dollars for each and every share of stock set opposite to our respective names, in such manner and proportions, and at such time or times as shall be required by said trustees; and shall thereupon proceed to receive, at present, and until otherwise determined by a majority of the trustees for the time being, subscriptions for the stock of said corporation, not exceeding the sum of thirty thousand dollars, divided into shares of twenty-five dollars each, payable at such times and places and in such instalments as they may deem advisable; and it shall be lawful for any person or persons, body politic or corporate, to subscribe for as many shares as he, she or they may think proper.

Certificates. SECTION 6. That said trustees shall be and hereby are authorized to issue certificates of stock, in shares of twenty-five dollars each, to the amount which may be hereafter respectively subscribed and paid by individuals or bodies politic or corporate to and for the use and benefit of said seminary, which certificates, signed by the president and secretary of the said board of trustees, and sealed with the seal of said corporation, shall be issued to the persons or their heirs and legal representatives of all persons, bodies politic or corporate, who have, as aforesaid, subscribed and paid, or who may at any time hereafter subscribe and pay, and shall be entered in a book kept by said secretary for that purpose, in which also shall be entered every transfer of such certificate which may be duly made in person or by attorney in the presence of and attested by the president of said board of trustees.

Election of trustees. SECTION 7. That there shall be held an election of trustees of said seminary in the place of the board of trustees appointed

by this act, on the second Tuesday of May, in the year one thousand eight hundred and fifty-seven, at which time the stockholders of said seminary shall elect by ballot, by a majority of the votes present, eighteen trustees, one-third of whom to continue in office till the second Tuesday of May, in the year one thousand eight hundred and fifty-eight, one-third till same day in the year one thousand eight hundred and fifty-nine, and the remaining one-third till the same day in the year one thousand eight hundred and sixty; and on each of the aforementioned days, and on the same day annually thereafter, six persons shall be elected, in the manner here set forth, to fill the places of those whose term of office shall then expire, and to continue in office three years, or till others be elected; the said election of trustees shall be held at the building occupied by said seminary, of which time and place the trustees shall give at least twenty days' previous notice, by publication in one newspaper printed in said borough of Middletown, and in one or more printed in the borough of Harrisburg, county and state aforesaid, which said election shall be held, conducted by two managers, to be chosen by a majority of the stockholders present at the time of commencing said election, and any stockholder shall be allowed to vote in person or by proxy at such elections, in the ratio of one vote for each share of stock which he, she or they shall or may own or hold, and standing in his, her or their name on the books of the corporation at the time of said election; if two or more persons shall have an equal number of votes, the managers of the election shall forthwith decide by lot which of said persons is elected: *Provided*, That none but stockholders shall be eligible to the office of trustee: *And provided further*, That two-thirds of said trustees shall always be members of the people known as the Church of God.

SECTION 8. That said trustees may, if they deem it expedient, lease and hire out the real estate and effects of said corporation to a competent teacher or teachers, and receive and collect rent and compensation for the use of such real and personal estate, and the same to divide rateably among the stockholders, after first deducting all necessary charges and expenses for repairs, taxes, and the due management of the affairs of said corporation. Power of trustees.

SECTION 9. That persons of every religious denomination shall be eligible as trustees, or capable of being appointed professors and teachers, nor shall any person, either as professor, tutor or pupil, be refused admittance into said seminary, or denied any of the privileges, immunities or advantages thereof, for or on account of his or her sex or sentiments in matters of religion: *Provided*, That such persons shall exhibit a fair moral character, and are willing to yield a ready obedience to the general regulations prescribed for the conduct of officers and pupils, and the government of the institution. Privileges of students.

SECTION 10. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest, to or from the said corporation: *Provided*, That the intent of the parties shall sufficiently appear upon the part of the gift, grant, will, or other writing, whereby any estate or interest was intended to pass to or from said corporation. Misnomer.

SECTION 11. That the legislature hereby reserves the right to revoke, alter, or amend this charter, whenever to them it may Reservation

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seem expedient, in such manner, however, that no injustice shall be done to the corporators.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 508.

AN ACT

To authorize the Governor to appoint Commissioners to take Acknowledgment of Deeds or other Contracts and Depositions in Foreign countries.

Appointment
authorized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the governor shall have power to appoint one or more commissioners in any foreign country, who shall continue in office during the pleasure of the governor, and shall have the authority to take the acknowledgment and proof of the execution of any deed or other conveyance or lease of any lands lying in this state, or of any contract, letters of attorney, or of any other writing, under seal or not, to be used and recorded in this state.

To be sworn.

SECTION 2. That every such commissioner, before performing any duty, or exercising any power in virtue of his appointment, shall take and subscribe an oath or affirmation before a judge or clerk of one of the courts of record of the state, kingdom, or country in which said commissioner shall reside, well and faithfully to execute and perform all the duties of such commissioner, under and by virtue of the laws of the state of Pennsylvania, which oath, and a description of his seal of office, together with his signature thereto, shall be filed in the office of the secretary of this state.

Fees.

SECTION 3. That the fees for all such services shall be the same as for similar services rendered by commissioners of this state in other states of the union, the same being reckoned in the money of the United States.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 509.

AN ACT

To increase the pay of Jurors and Witnesses in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the per diem allowance of persons attending the several courts of the county of Chester as jurors and witnesses, shall be for jurors one dollar and fifty cents per day, and for witnesses one dollar per day, except those who reside in the borough of West Chester, where the pay of witnesses shall be the same as is now paid, payments to be made as directed by existing laws relating thereto.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 510.

AN ACT

Supplementary to an act to incorporate the City of Lancaster, passed March twenty, one thousand eight hundred and eighteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act of February tenth, one thousand eight hundred and forty-three, as authorizes and directs the election of mayor of said city to be held on the first Tuesday of February in each and every year, be repealed, and that hereafter the qualified voters of the city of Lancaster shall on the first Tuesday of February next, one thousand eight hundred and fifty-seven, and every two years thereafter, elect by ballot a citizen to be mayor of said city, who shall serve for two years.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 511.

A SUPPLEMENT

To an act relating to the sale and conveyance of Real Estate, passed April eighteenth, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where sales of the real estate of lunatics have been made under the act of the eighteenth of April, one thousand eight hundred and fifty-three, entitled "An act relating to the sale and conveyance of real estate under a decree of the court of common pleas," the same shall be valid and effectual, notwithstanding such real estate may have been derived by descent or will.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 512.

AN ACT

Relative to the account of the Swatara Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they hereby are authorized and directed to open the account settled by them for the commonwealth, on the sixteenth day of January, Anno Domini one thousand eight hundred and fifty-four, against the Swatara company, and to re-examine and settle the same as if application for that purpose had been made within one year after the date of the said settlement.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 513.

A SUPPLEMENT

To the charter of the Hockendocqua Bridge Company, in the county of Lehigh, approved April eighth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Hockendocqua bridge company may change their site of place for erecting their bridge if a majority of the stockholders, at a meeting called for that purpose, may so decide: Provided, That said site shall not be more than one-half of a mile from the site designated in the act to which this is a supplement: Provided further, That the proviso in the seventeenth section in the said act be and the same is hereby repealed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 514.

AN ACT

To incorporate the Pennsylvania Musical Institute of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Robert Morris, Joseph Severns, C. E. Chichester, Stephen N. Winslow, Andrew J. Holman, and their associates and successors, are hereby constituted a body politic and corporate, in law and in fact, by the name and style of the Pennsylvania musical institute of Philadelphia, for the encouragement, teaching and diffusion of the art of music, with all the powers, rights and privileges, and subject to the restrictions contained in the first, second, third and fourth sections of an act to confer on certain associations of the citizens of this commonwealth the powers and immunities of corporations or bodies politic in law, passed April sixth, one thousand seven hundred and ninety-one.*

SECTION 2. *That the object of this association shall be attained by the distribution of musical compositions and instruments, the offering of premiums for the best musical compositions, the*

- Membership.** founding of annual scholarships for instruction in vocal or instrumental music, or by such other means as may be most conducive to the proper fostering of musical art. A subscription of not more than three dollars per annum shall constitute each subscriber a member of the association; and its affairs shall be conducted by a board of five managers, to be chosen annually by ballot, on the first Monday of May, and a president, vice president, secretary and treasurer shall be chosen at the same time and in like manner, either from the said board or the members generally; if from the members, such officers shall be ex-officio members of the board of managers, who shall have power to fill any vacancies in their own body or among said officers until the next annual election. The board of managers shall adopt such measures as may be determined by said association for procuring musical compositions and distributing them among the members according to their subscriptions, and shall divide the surplus funds, exclusive of any reserved fund deemed necessary, into sums of various amounts adapted to premiums for musical compositions, the purchase of musical instruments and the founding of annual scholarships, which shall be distributed among the members, or they shall dispose of said reserve or other funds in such manner as shall be most conducive to the objects of this association and the encouragement of musical art, as specifically directed by the by-laws.
- Managers.**
- Distributions.**
- Reservation.** SECTION 3. That the legislature may at any time alter, amend or revoke the privilege hereby granted.
- Mode of distribution.** SECTION 4. And the mode of distribution shall be the same as that provided for in the act, entitled "An Act to incorporate the Cosmopolitan art association," approved the third day of May, one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 515.

AN ACT

Authorizing the Governor and State Treasurer to renew certain Bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor and treasurer of the commonwealth of Pennsylvania be and are hereby authorized and empowered to renew, for a period of one year, the bonds held by the York Bank now due and unpaid by the said commonwealth of Pennsylvania:

Provided, The right of the commonwealth to pay the said bonds at any time before the expiration of one year, if funds shall be in the treasury for that purpose, be reserved.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 516.

AN ACT

Supplementary to an act to incorporate the Pottsville Gas Company, approved February twenty-fifth, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pottsville gas company be and they are hereby authorized to increase the capital stock of said company to an amount not exceeding one thousand additional shares, and that the holder of each and every share of the capital stock shall be entitled to one vote at all elections under the charter and by-laws of the company for each share of stock holden by him, as provided in the fourth section of the act incorporating the said company.*

SECTION 2. That so much of the act incorporating the said company, approved February twenty-fifth, one thousand eight hundred and fifty, as is hereby altered and supplied, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April; Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 517.

AN ACT

Relating to the Zerbes Run and Shamokin Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the stockholders of the Zerbes Run and Shamokin improvement company, at a corporate meeting to be held in the city of Philadelphia, to be called by the directors of said company, of which notice shall be given by publication once a week for three weeks in two newspapers in the city of Philadelphia, one in the county of Schuylkill, and one in the county of Northumberland, may authorize and instruct the board of directors of said company to proceed, at public or private sale, to sell to any person or persons, or corporation, in fee simple, all or any part of the estate, real or personal, of the said company, in such way and manner, on such terms, either for cash or on credit, or for such stock securities, or other consideration, as the said stockholders may then direct, and thereupon the said company shall duly execute and deliver proper deeds and assurances therefor: *Provided, That* previous to any sale under the provisions of this act, two-thirds in value of the stockholders shall give their assent thereto.

SECTION 2. That when all the real and personal estate of the said company shall have been sold and conveyed, and the debts of said company duly paid, and distribution made by the directors of the assets thereof among the stockholders, which distribution said directors are hereby authorized to make, then the charter of said company, and said company, shall be deemed and taken to be extinct.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 518.

AN ACT

To confirm the title to certain Real Estate of George Ireland.

WHEREAS, James Dutton, by his last will and testament, bearing date the twenty-sixth day of November, one thousand eight hundred and twelve, duly proved and remaining of record at Philadelphia, did give, devise and bequeath all his residuary estate, real and personal and mixed, whatsoever and wheresoever, including the lot or piece of ground hereinafter mentioned, unto the guardians of the poor of the city of Philadelphia, the district of Southwark, and the township of the Northern Liberties, and their successors forever, in trust, nevertheless, to improve and make the same as productive as possible, and to preserve and keep the same as a fund forever, and to apply the net income and interest thereof, beyond taxes and necessary repairs, to the aid, comfort and support of the poor of the township of the Northern Liberties only, forever, as therein mentioned:

AND WHEREAS, In pursuance of divers conveyances and assurances in the law, the said premises became and was subsequently vested in the guardians of the poor of the city of Philadelphia, the district of Southwark and the townships of the Northern Liberties and Penn, clothed with the trusts above recited:

AND WHEREAS, The said guardians of the poor of the city of Philadelphia, the district of Southwark and the townships of the Northern Liberties and Penn, in pursuance and in compliance with the trust reposed in them, and for the purpose of improving the residuary estate devised to them by James Dutton, and making the same productive as possible, by indenture bearing date the thirty-first day of December, one thousand eight hundred and forty-five, granted and conveyed unto George Ireland, and to his heirs and assigns forever, the said premises, to wit: all that certain frame tenement and lot or piece of ground, situate on the east side of Delaware Front street, between Coates and Brown streets, in the then Northern Liberties of the city of Philadelphia, containing in front or breadth on the said Front street, twenty-eight feet, more or less, and in length or depth one hundred and five feet, more or less, bounded northward by ground formerly of Rachel Coats, then of John Naglee, eastward by ground then or late of ——— Barlow, southward by ground formerly of William Coats, and westward by Front street aforesaid, reserving therefor and thereout unto the said the guardians of the poor of the city of Philadelphia, the district of Southwark and the townships of the Northern Liberties and Penn, their successors and assigns forever, the yearly ground rent or sum of one hundred dollars, payable on the days and times and in way and manner therein mentioned: and doubts having arisen as to the power vested under said will in the said grantors so to sell and dispose of the said premises.

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Title validated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the title to the said premises so vested in the said George Ireland, be and the same is hereby declared to be good and valid to the same extent and to have the same force and effect as though the said James Dutton in and by his said last will and testament had expressly given full and ample power and authority to the said guardians of the poor of the city of Philadelphia, the district of Southwark and the township of the Northern Liberties, so to sell and dispose of the same on ground rent.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 519.

SUPPLEMENT

To an act to authorize the Governor to incorporate the Wilkesbarre Water Company, approved the twelfth February, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the proviso to the third section of the act to which this is a supplement, and the fifteenth section of the same act, be and the same are hereby repealed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 520.

AN ACT

To provide for a meeting of the School Directors of Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the superintendent of common schools is hereby directed to give notice to the school directors of Bradford county, by circular and by publication in two newspapers of that county, that the several boards of school directors of Bradford county, shall meet in their respective districts, on Saturday, the thirty-first day of May next, and when assembled, each board shall by resolution, express the opinion of a majority of the directors present, as to the proper amount of compensation for the county superintendent of Bradford county.

SECTION 2. That the said several boards of school directors shall cause the resolution to be entered on their records, and a copy forwarded to the state superintendent, who, on the reception of the resolutions from the several boards of directors, shall fix such compensation for the county superintendent of Bradford county, as he may think just and proper in view of the expression thus received from the boards of school directors, which compensation shall be in lieu of the amount fixed by the convention of school directors of Bradford county for that officer, on the twenty-eighth day of July last, and shall commence with the third year of that office.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 521.

AN ACT

Regulating Taxes in the township of Elk, in the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Elk, in the county of Tioga, be and the same is hereby erected into a separate school and election district, and it shall be lawful for the board of school directors, super-

Boundaries defined.

From and after the passage of this act, the boundaries of the borough of Cassville, in Huntingdon county, shall be as follows: commencing at the south-west corner of the grave-yard lot, thence north eighty degrees west twelve perches, to a stone; thence south seventeen degrees west one hundred perches, to a post; thence south twenty-six degrees east twenty perches, to a chesnut; thence south sixty-five degrees east seventy-two perches, to a white oak stump; thence north eighteen degrees east one hundred and sixteen perches, to a stone; thence south eighty-five degrees east forty perches, to a post; thence north fifty perches, to a stone; thence north eighty-five degrees west forty perches, to a pine stump; thence north twenty-five degrees east one hundred and two perches, to a maple; thence north sixty-five degrees west twenty-five perches, to a hickory; thence south thirty-one degrees west sixty-two perches, to stones; thence north eighty-one degrees west twenty one perches, to a post; thence south seventeen degrees west seventy perches, to a post; thence south thirty-six degrees west twenty-five perches, to the place of beginning.

Separate school district.

SECTION 2. That the present Cassville school district shall include the enlarged borough limits, and shall remain a separate district for school purposes, any previous act to the contrary notwithstanding.

Borough elections

SECTION 3. That the time for holding borough elections shall be changed to the third Friday in March annually, at which time it shall be lawful for the qualified electors of said borough to elect, in addition to their present borough officers, one assessor and two assistant assessors to make the assessments for said borough for all taxable purposes.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 501.

AN ACT

Relative to the Borough of Bath.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act contained in the fourth article of the third section of the general law regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, which requires publication to be made in one*

No. 520.

AN ACT

To provide for a meeting of the School Directors of Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the superintendent of common schools is hereby directed to give notice to the school directors of Bradford county, by circular and by publication in two newspapers of that county, that the several boards of school directors of Bradford county, shall meet in their respective districts, on Saturday, the thirty-first day of May next, and when assembled, each board shall by resolution, express the opinion of a majority of the directors present, as to the proper amount of compensation for the county superintendent of Bradford county.

SECTION 2. That the said several boards of school directors shall cause the resolution to be entered on their records, and a copy forwarded to the state superintendent, who, on the reception of the resolutions from the several boards of directors, shall fix such compensation for the county superintendent of Bradford county, as he may think just and proper in view of the expression thus received from the boards of school directors, which compensation shall be in lieu of the amount fixed by the convention of school directors of Bradford county for that officer, on the twenty-eighth day of July last, and shall commence with the third year of that office.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 521.

AN ACT

Regulating Taxes in the township of Elk, in the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Elk, in the county of Tioga, be and the same is hereby erected into a separate school and election district, and it shall be lawful for the board of school directors, super-

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for sale for non-payment of taxes, when the owner or owners thereof shall pay said taxes on or before the first day of March previous to the day of sale for taxes, in the year in which such sale shall be advertised.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 503.

AN ACT

For the payment of the claim of John Donaldson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to pay to John Donaldson, late contractor on the Tunkhannock line of the North Branch canal, on sections one hundred and eleven and one hundred and twelve, the sum of two thousand seven hundred and two dollars and fifty-five cents, in full of his claim for difference between the first and second contract prices for said sections, agreeably to a report of the auditor general, dated February seventh, one thousand eight hundred and fifty-five, made to the legislature in pursuance of the act of eighth May, one thousand eight hundred and fifty-four.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 504.

SUPPLEMENT

To an act to provide for the construction of a Dam and In-Let Lock at the mouth of Mill creek, in the county of Luzerne, approved April fifth, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the guardian of John M. Hollenback, a minor, is hereby authorized to release to the commonwealth all claims for damages by reason of the construction of the works in the act mentioned, to which this is a supplement, as also in this: *Provided,* That the approbation of the orphans' court of Luzerne county be first had and obtained.

Release of damages.

SECTION 2. That the canal commissioners be and they are hereby authorized to enter into a written agreement with George M. Hollenback, on receiving a release of the damages he may sustain by the construction of said works, providing the mode, manner and amount he shall draw of water from the pool or canal, for use as a water power, at or near the location of his present grist mill; and the said commissioners may also construct a towing path along the pool of said works and such other works and devices connected with said contemplated improvement as they may judge conducive to the public advantage: *Provided,* The cost of the whole shall not exceed the sum appropriated by the act to which this is a supplement.

Contract with George M. Hollenback.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 505.

AN ACT

To repeal an act to improve the Turnpike Road from Indiana to Kittanning.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of last session, entitled "An act to improve the turnpike road from Indiana to Kittanning," approved twenty-seventh day

No. 527.

AN ACT

Authorizing Benjamin Parvin, one of the executors of the last will and testament of John Yeich, late of Bern township, Berks county, deceased, to execute and deliver Deeds for a part of the Real Estate of said deceased.

WHEREAS, The last will and testament of John Yeich, late of Bern township, Berks county, deceased, was duly proven and admitted to probate on the twentieth day of May, in the year of our Lord one thousand eight hundred and forty-four, and letters testamentary thereon in due form of law granted to George Fox and Benjamin Parvin, the executors named in the will, who took upon themselves the burden of administering the estate of said deceased, and discharging the duties of executors: that by the said will the said John Yeich, among other things, ordered and directed as follows: "Item. I also give and bequeath unto my dear wife Catharine, during her natural life, all the income of my farm whereon I now live, situate in Bern township, Berks county, adjoining Daniel L. Beaver, Daniel Althouse, Samuel Reeser, Jacob Shack, Daniel Dundore, and my other land, containing one hundred and seventy-five acres, more or less, which farm I give my wife the right to occupy, or lease the same to whom she pleases, as long as she lives and remains my widow; but after her decease, I ordain that the proceeds of said farm be and fall unto my brothers and sisters, or their children or heirs at law, but all outstanding crops at the time of my decease, with all hay, straw and manure, shall go to the use of my wife Catharine, and the hay, straw and manure always to remain on the land during the lifetime of my wife: Item. It is my will, and I do hereby ordain and give authority unto my hereinafter named executors to sell by public sale my farm whereon I now reside, containing about one hundred and seventy-five acres, more or less, immediately after the death of my wife Catharine, with all outstanding crops that may then be thereon; and I also empower my said executors to give title papers unto the purchaser or purchasers of the land, to be sold either in the whole or in part, as soon as may be found most advantageous: And lastly. I nominate, constitute and appoint my friends Benjamin Parvin and George Fox to be the executors of this my last will and testament:" *And whereas,* The said farm in point of fact contains one hundred and ninety-seven acres and ten perches: *And whereas,* The said Catharine Yeich died in the year one thousand eight hundred and fifty-five, and the said executors, on the nineteenth day of October, one thousand eight hundred and fifty-five, exposed the said farm, in three separate pieces, to public sale or outcry, and sold the same, as follows: One hundred and two acres and ninety-eight perches thereof to Daniel Loos and John H. Spatz, for the sum of four thousand six hundred and seventeen dollars and fifty-six cents; and forty-eight acres and eleven perches thereof to William H. Clymer and company, for the sum of two thousand two hundred and eleven dollars and sixteen cents; and the residue thereof, being forty-six acres and sixty-one perches, to

Michael Staudt, for the sum of two thousand and ninety-eight dollars and seventy-five cents; the purchase money to be paid on the first day of April, eighteen hundred and fifty-six, when the several deeds were to be delivered: *And whereas*, Nearly one-half of the purchase moneys have already been paid to the said Benjamin Parvin, and the said George Fox has absconded and left the county of Berks to parts unknown, and did so before the first day of April, without executing deeds jointly with the said Benjamin Parvin, as directed by the last will and testament aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Benjamin Parvin, one of the executors of the last will and testament of John Yeich, late of Bern township, Berks county, deceased, be and is hereby authorized to execute and deliver deeds to Daniel Loos and John H. Spatz, William H. Clymer and company, and Michael Staudt, purchasers of part of the real estate of said John Yeich, deceased, sold under the authority and directions in the will of said deceased, by George Fox and Benjamin Parvin, the executors named in the said will, with like effect, and to all intents and purposes, as if the said George Fox were joined with him in the execution and delivery of the deeds.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 528.

AN ACT

Requiring the Deputy Surveyor of M'Kean county to transcribe the survey book of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the deputy surveyor of the county of M'Kean to provide a proper and substantial book, into which he shall copy all the original surveys made and entered by his predecessors in office in said county of M'Kean, and that the said book, when duly certified to be a correct and true copy of the original, shall be received in evidence in all cases, the same as the original book: *Provided*, That the original survey book shall be preserved and lodged in the county commissioners' office for safe keeping and reference: *Provided further*, That the county

No. 532.

AN ACT

To extend the equity jurisdiction of the Courts of Common Pleas in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the rights granted to persons holding coal or iron ore mines or minerals, as tenants in common, by the twenty-fourth section of the act of twenty-fifth April, one thousand eight hundred and fifty, it is hereby further enacted that any person or persons claiming to be tenants in common, joint tenants, or otherwise interested in any coal or iron mines or other minerals, and which said tenancy, claim or right shall be denied or resisted by any other person or persons claiming the same, it shall be lawful for such tenant in common, joint tenant, or other party in interest, to apply by bill or petition in equity to the court of common pleas of the county in which the lands lie, setting forth the right or interest which such claimant has or claims to have in said iron ore, coal mine or other mineral, and that the use, exercise or existence of said right is denied by the persons claiming the same; whereupon the said court shall proceed to examine, adjudicate and determine the rights of the several parties, in the manner prescribed in the above recited section, and all parties in interest shall be made parties to such proceeding.

SECTION 2. That in all cases arising under this act an appeal may be taken to the supreme court from the final decree of any of said courts of common pleas, within one year from the date of said final decree, and in all other respects upon the same terms and conditions as are provided in cases of appeal from the decrees of the court of common pleas for the city and county of Philadelphia.

RICHARDSON^{*}L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

sylvania militia, in the war of one thousand eight hundred and twelve :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to pay to the legal representatives of Thomas Wilson, two hundred and twenty-nine dollars and sixty cents, in payment for two months and twenty-two days' service as brigade major in the service of the commonwealth.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 531.

AN ACT

Relative to Roads in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the ninth, tenth and eleventh sections of an act relative to roads in Washington county, approved the fifteenth day of April, one thousand eight hundred and fifty-three, be and the same is hereby repealed; and that the act of the sixth day of April, one thousand eight hundred and fifty-three is hereby declared to be revived, so far as the same relates to the county of Washington. Repeal.

SECTION 2. That where reviewers are appointed by said court and they shall decide to locate a public road on a route different from that reported by the viewers, they shall have the same power to take releases, and it shall be their duty to ascertain and assess the damages so far as the location of the said road differs, in the same manner as in the case of viewers. Renewal.

SECTION 3. That the court of quarter sessions of said county shall have power to make such rules as may be deemed necessary fully to carry this act into effect. Releases.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

Title validated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the title to the said premises so vested in the said George Ireland, be and the same is hereby declared to be good and valid to the same extent and to have the same force and effect as though the said James Dutton in and by his said last will and testament had expressly given full and ample power and authority to the said guardians of the poor of the city of Philadelphia, the district of Southwark and the township of the Northern Liberties, so to sell and dispose of the same on ground rent.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 519.

SUPPLEMENT

To an act to authorize the Governor to incorporate the Wilkesbarre Water Company, approved the twelfth February, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the proviso to the third section of the act to which this is a supplement, and the fifteenth section of the same act, be and the same are hereby repealed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 533.

AN ACT

To change the name of the second company of Meagher Guards to Jackson Guards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the second company of Meagher Guards, attached to the second regiment, second brigade, first division, Pennsylvania volunteers, shall be named instead thereof, the Jackson Guards, and that all the rights and privileges heretofore enjoyed by the said Meagher Guards, shall hereafter enure to the said Jackson Guards, as if no change of name had been effected.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 534

AN ACT

Relative to the collection of taxes in Pequa township, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the collection of state and county taxes, in Pequa township, Lancaster county, shall be given to the lowest bidder for the same, and proposals therefor may be presented at the commissioners' office, in said county, in the month of February in each year. The difference between the compensation now allowed by law for the collection of such taxes and the rates paid under the provisions of this act, shall be paid into the school fund of said township: *Provided,* That security shall be required of the collector as in other cases.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 532.

AN ACT

To extend the equity jurisdiction of the Courts of Common Pleas in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the rights granted to persons holding coal or iron ore mines or minerals, as tenants in common, by the twenty-fourth section of the act of twenty-fifth April, one thousand eight hundred and fifty, it is hereby further enacted that any person or persons claiming to be tenants in common, joint tenants, or otherwise interested in any coal or iron mines or other minerals, and which said tenancy, claim or right shall be denied or resisted by any other person or persons claiming the same, it shall be lawful for such tenant in common, joint tenant, or other party in interest, to apply by bill or petition in equity to the court of common pleas of the county in which the lands lie, setting forth the right or interest which such claimant has or claims to have in said iron ore, coal mine or other mineral, and that the use, exercise or existence of said right is denied by the persons claiming the same; whereupon the said court shall proceed to examine, adjudicate and determine the rights of the several parties, in the manner prescribed in the above recited section, and all parties in interest shall be made parties to such proceeding.

SECTION 2. That in all cases arising under this act an appeal may be taken to the supreme court from the final decree of any of said courts of common pleas, within one year from the date of said final decree, and in all other respects upon the same terms and conditions as are provided in cases of appeal from the decrees of the court of common pleas for the city and county of Philadelphia.

RICHARDSON^{*}L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 533.

AN ACT

To change the name of the second company of Meagher Guards to Jackson Guards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the second company of Meagher Guards, attached to the second regiment, second brigade, first division, Pennsylvania volunteers, shall be named instead thereof, the Jackson Guards, and that all the rights and privileges heretofore enjoyed by the said Meagher Guards, shall hereafter enure to the said Jackson Guards, as if no change of name had been effected.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 534

AN ACT

Relative to the collection of taxes in Pequa township, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the collection of state and county taxes, in Pequa township, Lancaster county, shall be given to the lowest bidder for the same, and proposals therefor may be presented at the commissioners' office, in said county, in the month of February in each year. The difference between the compensation now allowed by law for the collection of such taxes and the rates paid under the provisions of this act, shall be paid into the school fund of said township: Provided, That security shall be required of the collector as in other cases.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 535.

AN ACT

To incorporate the Whitehaven and Sandy Creek Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Brown, Isaac Ripple, Luke Brodhead, J. M. Bishop, Thomas Morrison, Francis Weiss, Asa L. Foster, and Stephen Bolles, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Whitehaven and Sandy Creek plank road company, with power to construct a plank road from Whitehaven, in Luzerne county, by Sandy Creek valley, to a point near the Council Ridge colliery, in said county, or any part thereof, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as hereinafter provided.

Commissioners.

Style.

Route.

Subject to.

Capital stock.

Limitation.

May vacate roads

Tolls

SECTION 2. That the stock of said company shall consist of eight hundred shares at twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders, called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road and carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of said road within one year from the passage of this act, and complete five miles of the same within five years, and the remaining part within ten years from the date thereof, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.

SECTION 4. That said company shall have power to vacate any parts of public roads heretofore in use but supplied and made useless by the construction of said plank road.

SECTION 5. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and collect tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except so far as relates to tolls which discriminate in favor of wheels of a greater width than four inches; and the company hereby incorporated shall have power to regulate their tolls within the limits prescribed by said act and the several supplements thereto, without reference to width of wheels.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PLATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 536.

AN ACT

Relating to Weights and Measures in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second section of the act, entitled "An Act relative to weights and measures in Lancaster county," passed fourteenth December, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby repealed.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 537.

SUPPLEMENT

To the act authorizing the sale and purchase of the Falls of Schuylkill Bridge, in the city of Philadelphia, passed the fifth day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the report of any jury of view heretofore appointed or to be appointed by the court of quarter sessions of Philadelphia county, under the provisions of the act to which this is a supplement, which has been or shall be signed by any five of the six jurors or viewers so appointed, may be accepted and acted upon by the said court, and the councils of the city of Philadelphia, in like manner and with the same effect in all respects as if the said report had been signed by all six of said jurors or viewers and had been duly so returned to said court: Provided, That in no case shall the amount paid by the city of Philadelphia for the said bridge exceed the sum of fifteen thousand dollars, in bonds of the said city, to be taken at par.*

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 538.

A SUPPLEMENT

To an act to enable the Governor to incorporate a company to Artificial Road, by the best and nearest route, from the new George street, in the borough of York, to the Canal Ferry on Susquehanna, and from thence up the said river to the head of Swago Falls.

Managers reduced.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* the number of managers or directors now required by the section of the original act, approved second day of March, a thousand eight hundred and nine, be reduced, and that hereafter the stockholders shall choose by ballot, to be delivered in person or by proxy duly authorized, on the second Monday of March hereafter, one president, six managers and one treasurer, to conduct the business of said company.

Transfer of stock.

SECTION 2. That hereafter all transfers of stock in said company, executed either in person or by attorney, in the presence of one witness, upon the books of said company, shall have the same effect and validity as if such transfer had been made on the original certificate of stock, executed in the presence of two witnesses, as has heretofore been the practice, the said transfers to be signed either by the principal or his attorney, on the transfer books of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 539.

AN ACT

To prevent the Imprisonment of Witnesses in certain cases.

WHEREAS, Under the existing laws a practice has been adopted by judicial magistrates of committing witnesses in criminal cases, where they are willing but unable to procure bail for their attendance to testify:

AND WHEREAS, This practice is grievous and most oppressive upon the poor and innocent, and in some instances has subjected

ing imprisonment and to heavier penalties than the
nders themselves:

THAT, It is cruel and unjust, and contrary to the
y of criminal laws, that persons who have committed
but who are simply called upon to establish the
others, should be consigned to imprisonment and ex-
grace:

1. *Be it enacted by the Senate and House of Represen-
the Commonwealth of Pennsylvania in General Assem-
d it is hereby enacted by the authority of the same, That
after the passage of this act, no witness in any case
his or her recognizance in such sum as the magis-
y demand, to appear and testify in such prosecutions as
his testimony, shall be committed to prison by the judge,
gistrate or alderman before whom any criminal charge may
preferred: Provided however, That in all cases triable inoyer
and terminer, where a positive oath is made and reduced to
writing, and signed by the deponent, setting forth sufficient
reasons or facts to induce the firm belief on the part of the
judge, magistrate or alderman, that any witness will abscond,
elope, or refuse to appear upon the trial, that then and in such
case the judge, magistrate or alderman, may exact bail of said
witness, and in default thereof, commit the said witness to
testify.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one
thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 540.

A SUPPLEMENT

To the acts relating to the holding of special courts.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assem-
bly met, and it is hereby enacted by the authority of the same, That
the provisions of the first section of the act, entitled "A sup-
plement to the acts relating to the holding of special courts in
Fayette county, and for other purposes," passed the twenty-ninth
day of April, one thousand eight hundred and forty-four, be ex-
tended to the county of Somerset.*

Certain act ex-
tended to Somer-
set county.

SECTION 2. That upon the application, in writing, of a ma-
jority of the counsel concerned in the causes certified into the
special court of said county of Somerset, to any president judge
of any one of the judicial districts of the commonwealth of Penn-
sylvania, it shall be lawful for such judge to fix a time for the

Special courts.

holding of a special court for the trial and hearing of all causes and matters so certified; and having fixed a time, it shall be his duty at such time to hold said court according to the laws now regulating the holding of special terms of the court of common pleas, orphans' court, courts of quarter sessions or oyer and terminer, and that all proceedings preparatory and necessary to the holding of said special courts shall be according to the laws now in force.

Prohibition.

SECTION 3. That upon the application to any judge by a majority of the counsel, as aforesaid, it shall not be lawful for any other judge to take cognizance of any of the causes or matters so certified as aforesaid.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 541.

AN ACT

To legalize the election of Auditors in the borough of Williamsport, Lycoming county.

Certain election
validated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election of John K. Hays for one year from the second Friday in February, one thousand eight hundred and fifty-six; of John Heisley for two years from the same time, and of John Green for three years from the time aforesaid, as auditors for the borough of Williamsport, in Lycoming county, be confirmed, held valid and legal for the period above stated; and they are hereby authorized and required to audit and settle the accounts of the town council, school directors and overseers of the poor of said borough, in the month of December, one thousand eight hundred and fifty-six, and annually thereafter, and to publish a statement in one newspaper published in said borough not to exceed two insertions.

Election of audi-
tors.

SECTION 2. That the voters in said borough shall annually hereafter, at the borough elections for constables, et cetera, elect one person to serve as auditor for said borough for three years.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 542.

AN ACT

Relative to Streets, Lanes and Alleys in the borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Pottsville shall have full power and authority to survey, lay out, open such roads, streets, lanes, alleys, courts and common sewers, as they may deem necessary, and to provide for, enact and ordain ordinances and regulations for the widening and straightening of the same: *Provided,* That this act shall not extend or apply to any road, street, lane or alley heretofore ordered to be opened. Opening of streets

SECTION 2. That when application shall hereafter be made for the opening of any new street, lane or alley within the borough of Pottsville, such application shall be made by petition to the town council of the said borough, and if it receive the sanction and approval of the said council, it shall be placed on the minutes of the said town council, and such street, lanes or alleys so approved shall then be opened. Manner of applying.

SECTION 3. That in case any damage is likely to be done by the opening of any such streets, lanes or alleys, to the real estate of any person or persons through whose property any such street, lane or alley may pass, such damages shall be assessed by three freeholders of said borough, neither of whom shall be a resident of the ward where the damage is so alleged to have been done, who shall be chosen as follows:—two by the said town council and the third by the petitioners. Damages.

SECTION 4. That the appraisers to be chosen as aforesaid shall, after being duly sworn or affirmed, proceed to assess the damages likely to be done by the opening of such street, lane or alley, taking into consideration the advantage of any such street, lane or alley may be to the petitioner, and make report to the said town council, which report so made shall be filed among the said papers, and entered on the books of the said council. Duty of viewers.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 543.

A N A C T

Relative to Elections in the borough of Meadville, and for other purposes.

Time and place
of holding elec-
tions.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for constables, justices of the peace, and all other officers within the borough of Meadville, shall be held at the same times and places at which the corporate officers of said borough are elected; and the election for constables, justices of the peace, and other officers held in said borough, on Friday, the fourteenth of March, Anno Domini one thousand eight hundred and fifty-six, is hereby declared legal and valid, to all intents and purposes.

Power of borough
officers.

SECTION 2. That in addition to the powers granted to said borough by the act incorporating the same and its several supplements, the corporation and its several officers shall possess, perform and exercise all the powers, jurisdictions and duties conferred and enjoined on borough and borough officers by the general law respecting boroughs, passed third April, one thousand eight hundred and fifty-one, so far as the same may not be contrary to or inconsistent with the laws now in force in said borough.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 544.

A S U P P L E M E N T

To charter of the borough of Girard, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Girard, in the county of Erie, shall have full power and authority, upon the petition of not less than twelve of the citizens of said borough, setting forth the necessity of the same, to lay out, establish and open such street or streets within the limits of said borough, and

to fix the width of the same, as in their opinion would promote the business of its citizens and the convenience of the public. To establish by ordinance or resolution, the manner of assessing damages to private property through which said street or streets may be laid out and opened, and also to designate whether said damages shall be paid by general or special assessment; and where they shall determine that said assessment should be special, they shall make such apportionment of the same, upon the property specially benefitted, as in their opinion would be equitable; and the several amounts so assessed may be added to the duplicates of, and collected in the same manner as borough taxes are now by law recoverable: *Provided*, That a party aggrieved, either in the assessment of damages to private property or in its apportionment by special assessment, may signify their desire to have the same reviewed at any time within twenty days after the filing of the same in the office of the said town council, by serving a written notice upon the burgess of said borough, signifying their desire to have a board established to review and settle definitely the controversy. Upon the receipt of any such notice, the said burgess shall fix a time not more than three days from the receipt thereof, of which said party shall have reasonable notice in writing, when and where the said burgess will meet the said party, and select three disinterested citizens of said county, to hear, examine, and determine the same. And in case they cannot agree upon said citizens, the said burgess shall select one, the party one, and the two so selected shall appoint a third, who shall compose said board. It shall be the duty of the high constable of said borough to serve notice upon the persons so chosen, and also to said party, within three days thereafter, of the time and place in said borough of meeting of said board, to be fixed by the said burgess. At the time and place so fixed, the said board shall meet, and any vacancy in said board may be filled in the same manner as said board were appointed, and having been first duly sworn or affirmed, shall review, examine, and determine the matter in controversy, as to them may appear equitable. And such determination shall be final and conclusive upon all parties interested; and the said assessment shall be re-adjusted in accordance with said determination, and in case said determination shall not be more favorable to the party applying for said review, than the original assessment, costs shall be added to the amount to be collected, or deducted from the amount to be paid in accordance with the principles of equity. The members of the said board shall receive one dollar per day each, and the same mileage as by law allowed to jurors, and the said high constable the same compensation as allowed to constables for similar services, to be paid out of the treasury of said borough.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 545.

AN ACT

For the relief of Arnold and Clover.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners are authorized and required to examine the claim of Arnold and Clover, late contractors on the Allegheny Portage railroad, for increased compensation upon work performed by them, and report the facts in the case, with their judgment as to the justice of said claim, to the legislature.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 546.

AN ACT

To repeal certain acts of Assembly upon non-payment of the enrollment
tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all private acts of assembly heretofore passed and which are subject to the payment of an enrollment tax under the provisions of the act of sixteenth April, one thousand eight hundred and forty-five, and the several supplements thereto, and on which said taxes have not been paid, be and the same are hereby repealed: Provided, That this section shall not in anywise effect any such act upon which said enrollment tax shall be paid within one year after the passage hereof; and the fact of enrollment shall be conclusive evidence of the payment of such tax.*

SECTION 2. That no private act of assembly hereafter to be passed, and which shall be subject to enrollment tax as aforesaid, shall be enrolled or have the force or effect of law unless

said taxes due thereon respectively shall be paid within one year after the approval thereof by the executive, or shall otherwise become a law.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 547.

AN ACT

To authorize the Scranton Society of the Methodist Episcopal Church of Luzerne county to convey certain Real Estate.

WHEREAS, George Scranton and others, by indenture bearing date the fifth day of July, Anno Domini one thousand eight hundred and forty-two, did grant and convey unto Barton Mott and others, trustees of the Methodist Episcopal congregation in Providence township, Luzerne county, and to the survivor and survivors of them, their heirs and assigns forever, two certain contiguous lots of ground in the village of Scranton, formerly called Harrison, situate on Lackawanna avenue, being one hundred and ten feet front by one hundred and twelve feet deep, together to hold the same under certain trusts for the use of the members of the said congregation:

AND WHEREAS, Recent improvements and the laying of the railroad leading from Scranton to the Water Gap, have made the two lots above mentioned and the church building erected thereon undesirable for a place of worship; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Scranton society of the Methodist Episcopal church of Luzerne county, be and the same is hereby authorized to sell and convey the real estate aforesaid in fee simple, released and discharged from all and every trust charged upon the same, as contained in the aforesaid deed of indenture, and the proceeds hereof to re-invest in other real estate in said county, to be charged with the same and all the trusts mentioned in the aforesaid deed, and to be held for the use of the members of the said congregation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 548.

AN ACT

To authorize Ziba Bennett, guardian of George S. Bennett, to sell and convey certain Real Estate.

WHEREAS, Joseph Slocum, late of the borough of Wilkesbarre, in the county of Luzerne, deceased, by his last will and testament, executed on the twenty-first day of September, one thousand eight hundred and fifty, and by a codicil to said will, executed on the twenty-sixth day of April, one thousand eight hundred and fifty-four, provided for the division and apportionment of his estate, to and amongst his children, and the representatives of his deceased children, in equal shares, by three appraisers, to be agreed upon by the parties, or to be appointed by two judges of the orphans' court of said county, without however providing for the filing or recording of the report of said appraisers, or for the preservation of said report, or the perpetuation of the testimony thereof :

AND WHEREAS, Pursuant to the provisions of said will and codicil, appraisers of said estate (a large portion whereof consists of land,) have heretofore been appointed by said orphans' court, who on the eleventh day of January, one thousand eight hundred and fifty-six made a division and apportionment of said estate to and among the children of said testator and the children of Mrs. Hannah F. Bennett, a deceased daughter of said testator, in right of their said mother, in equal shares :

AND WHEREAS, All of the said representatives of the said estate desire that mutual deeds of release should be executed, in pursuance of said report of said appraisers, in order to vest in said representatives of the said estate the respective shares apportioned and allotted to each of them :

AND WHEREAS, For this purpose it is necessary that authority to execute such releases, should be conferred upon Ziba Bennett, guardian of George S. Bennett, who is a minor child of the said Hannah F. Bennett, deceased ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Ziba Bennett, guardian of the said George S. Bennett, be and he is hereby authorized and empowered to sign, seal, execute and deliver deeds to the several children and heirs of the said Joseph Slocum, deceased, releasing and confirming to to said children and heirs and their heirs and assigns, the several parcels and lots of land to them respectively allotted by the aforesaid appraisers of the estate of said Joseph Slocum, deceased ; and that said deeds so to be executed and delivered by said guardian, shall be as effectual to release and convey the interest of the said George S. Bennett, in said parcels and lots

lands, as if the said George S. Bennett were of full age and had personally executed and delivered the same.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 549.

AN ACT

authorizing the State Treasurer to pay Samuel R. Richards a certain sum of money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay to Samuel R. Richards, a former canal contractor, the sum of one thousand dollars, in full compensation for all work of every description whatsoever done by him and those under his employ, upon dam number three, guard-lock number three, lift-lock number four, and section number seventy-nine, on the Kiskiminetas and Conemaugh line of the Western division of the Pennsylvania canal, said sum to cover and include all expenses and damages incurred in the removal of hill slides at and upon said section and locks.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 550.

AN ACT

Authorizing certain Land to be Patented.

WHEREAS, Orvaline Miller has for a long time possessed a certain piece of land in Erie county, containing about two and

LAWS OF PENNSYLVANIA,

one-half acres, and has paid taxes thereon to a large amount, and received a deed therefor:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the piece of land lying near the bank of the lake denominated Field Font of Fort, be and the same is hereby granted to mid Orvaline Miller, she, however, to pay to the commonwealth the amount of patent money which may be payable thereon, and to receive a patent therefor; and that so much of any act as may be inconsistent herewith, be and the same is hereby repealed: Provided, That this act shall not impair the rights of any other person.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 551.

AN ACT

Incorporating the Glen Hope and New Washington Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. David M'Gheehan, Joseph Patterson, Alfred D. Knapp, David Mitchel, Gilbert S. Tozer, Lewis J. Hurd, Charles Hurd, Russel M'Murry, John M. Cumings, Henry D. Rose, James Dowler and Frederick G. Miller, are hereby appointed commissioners

Style. to open books, receive subscriptions, and organize a company, by the name, style and title of The Glen Hope and New Washington turnpike and plank road company, with power to construct

Route. a turnpike or plank road, partly clay and partly plank, from a point on the Little Bald Eagle and Glen Hope road, at or near where the public road from Glen Hope to Chest creek crosses the same, thence by the nearest and best route to New Washington, in Clearfield county, subject to the provisions and

Subject to. restrictions of an act relating to turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided, That when the company shall have completed two miles or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of twenty-sixth day of January, one thousand eight hundred and forty-nine*

SECTION 2. That the capital stock of said company shall consist of two hundred and fifty shares of stock, of twenty-five dollars each: *Provided*, That the said company may from time to time, by a vote of its stockholders, at a meeting called for that purpose, increase the capital stock to such an amount as they may deem necessary to carry out the true meaning and intent of this act. Capital.

SECTION 3. That if said company shall not commence the construction of their road within three years, and complete it within five years, this act shall be null and void, except so much thereof as shall be necessary to wind up the affairs and pay the debts of said company. Limitation.

SECTION 4. That it is hereby enacted that all the supplements passed in relation to the Larry's Creek and Pine Creek plank road company, are hereby extended to the Glen Hope and New Washington turnpike and plank road company. Her acts extended to this company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 552.

A SUPPLEMENT

To an act to appoint Hugh M'Kee to view parts of the Franklin Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Scott, of Butler county, be required to perform the duties as viewer on said road that were required of the said Hugh M'Kee by an act passed the thirteenth day of April, Anno Domini eighteen hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 553.

AN ACT

Relative to State Roads and Bridges in the counties of Lancaster and Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act relative to state roads and bridges in the counties of York, Cumberland, Fayette and Westmoreland," be and the same hereby are extended to the counties of Lancaster and Indiana.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 554.

AN ACT

To establish the Boundary Line between the counties of Mifflin and Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Swartzell, of Mifflin county, and John F. Ramey, of Huntingdon county, be and they are hereby appointed commissioners to run and mark or re-mark the boundary line between the counties of Mifflin and Huntingdon, agreeably to the acts of assembly and the supplements thereto erecting said counties; and it shall be the duty of said commissioners to lay down on their drafts of said line all the tracts of land through which the said line shall pass, so far as they are able to ascertain the same, and where the Juniata river is the line according to law, they shall give its meanderings on each side, laying down at the least such lines of the adjoining tracts as touch the river; and the said commissioners shall make out three drafts of said line in that manner, one of which shall be filed in the county surveyor's office of each of said counties, and the other in the surveyor general's office in Harrisburg.

Commissioners.

Their duties.

Drafts.

SECTION 2. That the said commissioners shall make out a just ^{Pay of persons} and true account of all the time necessarily spent by them in ^{employed.} the performance of the duties enjoined upon them by this act, and the number of days spent by chain carriers and axemen assisting them, for which the said commissioners shall receive for themselves each three dollars per diem for each and every day so employed, and for chain carriers and axemen two dollars per day, which amount shall be paid in equal portions by the county commissioners of each of said counties of Mifflin and Huntingdon, by warrants drawn on their treasurers respectively.

SECTION 3. That the act, entitled "An Act to run and define ^{Repeal.} the line between parts of Huntingdon and Mifflin counties," approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 555.

AN ACT

For the relief of Edward Jifkins and Bartholomew Morrison, of Carbondale.

WHEREAS, Edward Jifkins and Bartholomew Morrison, collectors of city and poor taxes in the city of Carbondale, by reason of receiving their duplicates at a late period, were unable to collect the same within the period limited by law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of said city may, if they deem it equitable and just, issue new warrants to the said collectors, to have the same force and effect as an original warrant, to collect the unpaid taxes upon their duplicates.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 556.

AN ACT

To incorporate the Elk Gap Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Entriakin, Henry Zimmerman, Amos Clark, Charles Mickle, Leonard Weaver, Jacob Russell, Senior, Abraham Brumbaugh, D. L. Martin, John Brumbaugh and Frederick Rhodes, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Elk Gap turnpike road company, with power to construct a turnpike road from a point at or near Rough and Ready station, on the Huntingdon and Broad Top railroad, in Huntingdon county, to intersect the Morrison's Cove and Woodcock Valley turnpike, at Elk Gap, on the summit of Tussey's mountain, by such route as the stockholders may determine upon, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

Commissioners.

Style.

Route.

Subject.

Capital.

Limitation.

SECTION 2. That the capital stock of said company shall consist of five hundred shares of twenty dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders, or a majority of them, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to carry out the true intent and meaning of this act.

SECTION 3. That if the said company shall not commence the construction of their road within two years, and complete it within five years from the passage of this act, the same shall be null and void, except so far as to authorize the settlement of the affairs and payment of the debts of said company.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 557.

AN ACT

To establish and regulate the Erie School District with a High School.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several wards of the city of Erie shall constitute a single High school. school district, with a high school, to be known by the style and title of the Erie school district, and as soon as a board of control shall have been organized, as hereinafter provided, shall constitute a body corporate and politic under the style and title Style. aforesaid, with all the rights and duties which are now exercised and enjoyed by the board of control of the first school district in the city and county of Philadelphia, by the laws of this commonwealth regulating the same, as far as the same can be adapted to the Erie school district.

SECTION 2. That school directors in the several wards of the city of Erie shall be elected and chosen as heretofore, and as soon after Election and duties of directors and controllers. the passage of this act as practicable the school directors in office shall meet in their respective wards and appoint one reputable citizen and tax payer in each of said wards as a member of the board of control, and certify their proceedings to the court of quarter sessions of said county, who shall thereupon appoint one like qualified citizen in each ward and cause to be certified by the clerk of said court to the several boards of school directors, together with the appointment of a time and place for a meeting of all the members of the board of control then appointed, and who, when so met, shall proceed to appoint a like qualified citizen of said city to act as president of said board, with a right to vote only in case of a tie, or when such vote would constitute a tie; the board thus constituted to expire with the expiration of the time for which they shall have been elected; the board thus first organized to continue until the last Monday in March then next ensuing, when the places of those whose appointment is hereby provided for shall be supplied by appointments made in the same manner, and vacancies happening in the mean time to be supplied as hereinbefore provided for their appointment.

SECTION 3. That the board of control are hereby authorized Powers of board of control. and required to keep up and maintain a central high school, in which shall be taught the higher branches of literature, with the same powers and duties as are now incident to and exercised by the board of control of the first school district in the city and county of Philadelphia, and shall provide as far as practicable a normal department in said high school, and provide tuition for at least three male and three female teachers annually, under such regulations and securities as the said board by their by-laws may determine. The said board may adopt Rules. such rules, by-laws and regulations, and prescribe such assessments as may be necessary to carry into effect the provisions of this act, not inconsistent with the constitution or laws of this commonwealth, and may appoint a superintendent, secretary

Report.

and treasurer, a board of examination and such other officers and agents as may be found necessary for said purpose. They shall annually, on the last Monday in January, make out a full report of their proceedings and submit the same to the court of quarter sessions of said county at its next session, who shall cause the same to be published in such manner as to give general circulation, and cause the same to be filed among the records of the said court and submitted for settlement to the county auditors, subject to appeal as in cases of accounts of county officers: *Provided*, That nothing in this act shall release the said officers from making the reports required by the school laws of one thousand eight hundred and fifty-four: *And further provided*, That the superintendent of common schools for the county of Erie shall continue to exercise all the authorities given him in the general school law.

Proviso.

Admission to privileges of the Erie school district, regulated.

SECTION 4. That upon application to the court of quarter sessions of said county by twenty or more taxable citizens of any township or school district in the county of Erie, praying that said township or district may become part of said Erie school district, the court shall appoint a time and place in said township for a general meeting in said township, directing public notice to be given in such manner as the said court may adopt, not less than twenty days, at which a hearing may be had; and if no sufficient objections appear to be made and the court shall be of opinion that the state of the said district is such as to justify the application, they may order and desire that the same may form a new section, to be designated by its appropriate ordinal numbers, and cause the same to be placed upon record; whereupon school directors of said district shall appoint a citizen with like qualifications as those prescribed in the second section of this act, and the court of quarter sessions one, who shall be additional members of the board of control hereinbefore provided for. As often as applications may be made by citizens of other townships and school districts, the like proceedings as hereinbefore prescribed shall be adopted; and as soon as any section out of the city of Erie shall have become a part of the Erie school district in manner aforesaid, then the city of Erie shall be designated as the first section, and the first additional township the second, and so on in the order in which they may become sections and parts of the said Erie school district. And whenever three or more sections shall have become parts of said Erie school district, all fines and forfeitures arising from prosecutions for misdemeanors in the court of quarter sessions of said county of Erie, shall be paid into the treasury of the said Erie school district and form a part of the school fund of said district.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 558.

AN ACT

Supplementary to an act providing for the more effectual preservation of the Cumberland Road, approved the eighth of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the first session happening after the passage of this act, it shall be the duty of the court of quarter sessions of Washington county to appoint a suitable person to be superintendent of that section of the Cumberland road within this commonwealth which lies between the Monongahela river and the Virginia state line; and it shall also be the duty of the court of quarter sessions of Fayette county, at the first session of said court happening after the passage of this act, to appoint a suitable person to be superintendent of that section of the Cumberland road within this commonwealth which lies between the Monongahela river and the Maryland state line; which appointments shall severally continue for two years, if they shall discharge the duties hereinafter prescribed in a proper manner; and in case of the death, resignation or removal, the vacancy shall be filled by the same courts of the proper county: The said superintendents shall be sworn in open court to discharge the duties of their trust with honesty and fidelity, and shall, before entering upon the duties of their respective trusts, with honesty and fidelity, and shall, before entering upon the duties of their respective trusts, give bond, in such sum and with such security as the said respective courts may deem sufficient, the bonds to be given in the name of the commonwealth, and shall be conditioned for the faithful discharge of their trust in all things.

Appointment of superintendents of road.

Vacancies

Bonds.

SECTION 2. That each of the said superintendents so appointed, shall have over their respective sections of said road all the powers heretofore conferred upon commissioners of said road, and all the powers conferred upon superintendents by the fourth section of the act to which this is a supplement, and also all the powers which have heretofore been conferred upon trustees authorized to be appointed for said road.

Powers of superintendents.

SECTION 3. That for compensation the said superintendents shall each receive a certain per centage of the gross revenues of their respective sections, which per centage shall be ascertained and allowed by the court, at the end of each year, at which time it shall be the duty of the said superintendents to make a full and just exhibit of the receipts and expenditures on their respective sections to the court from which he received his appointment, which accounts, before they are certified, shall receive the consideration and examination of the court, and for this purpose the court may appoint an auditor, if necessary.

Pay of.

Annual accounts.

SECTION 4. That the superintendents of each section shall, from and out of the per centage allowed them, pay the toll-keepers a certain salary, to be approved of by the court of quarter sessions, and all other expenses, and the remainder of the tolls, after deducting their per centage for compensation, shall be faithfully applied by the said superintendents to the

Pay of toll keepers.

repair and preservation of said road: *Provided however*, That the court may, on application of the superintendents, allow for the construction or removal of gates, and building and repair of toll-houses.

Payment of the
claims against
road.

SECTION 5. That upon the petition of one or more of the creditors of said road to the court of quarter sessions, setting forth that the section of the said road of which they are creditor or creditors, has been put into a good state of repair and preservation, it shall be lawful for the said court to ascertain the truth of the said allegation, and for this purpose may employ a commissioner to examine said road, upon whose report, if satisfied with the truth of the petition, the court may order the whole, or a portion of the revenue of that section of the road, after payment of expenses, to be appropriated to the payment of the creditors of said road, and for this purpose, shall require the money to be brought into court, and proper distribution to be made: *Provided*, That the said courts shall have at all times the power to revoke the order making any appropriation of the revenue to the payment of the creditors of said road.

Repeal.

SECTION 6. That so much of the act or other acts to which this is a supplement, as are hereby supplied and altered, be and same are hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 559.

A FURTHER SUPPLEMENT

To an act to incorporate the Trustees of the Fire Association of Philadelphia, approved April third, one thousand eight hundred and thirty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the trustees of the Fire association of Philadelphia, be and they are hereby empowered and directed annually to divide amongst the several companies, who may be certified by the board of delegates as entitled to a share of the annual dividend, thirty per centum of the profits of the office, including premiums received for annual insurance, together with the whole of the interest arising upon the capital stock after the payment of losses and expenses, until the permanent capital stock shall have reached the sum of two hundred thousand dollars.

Annual dividend
of profits.

SECTION 2. Any, or all laws or parts of laws, inconsistent Repealed with, be and the same is hereby repealed.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 560.

A SUPPLEMENT

To an act to incorporate the Farmers' Mutual Fire Insurance Company of Paradise, in York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act incorporating the Farmers' mutual fire insurance company of Paradise, in the county of York, approved the twenty-eighth day of March, one thousand eight hundred and fifty-four, be extended to the townships of Washington, Conewago and Manchester, in said county.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 561.

A SUPPLEMENT

To the act regulating Boroughs, approved April third, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter, whenever the burgesses and town council of any bor-* Opening of streets

LAWS OF PENNSYLVANIA,

ough shall open, or be about to open any streets or alleys therein, or to widen or extend the same, it shall be lawful for said burgesses and council, or a majority of them, to apply by petition to the court of quarter sessions of the peace of the proper county, setting forth the facts and describing the locality of such streets or alleys, and praying said court to appoint seven disinterested freeholders of such borough, who after being first duly sworn or affirmed to perform their duties under this act with impartiality and fidelity, shall proceed to view the premises described in said petition, having regard to both the advantages and disadvantages caused to the several properties along the line of and adjoining said streets and alleys, and shall assess and allow to all persons injured thereby, such damages as they shall have sustained respectively, over and above all advantages, and shall also make assessments for contribution upon all such properties as shall be benefitted by the opening, widening or extension of said streets and alleys, such sums respectively as they may have been benefitted over and above all disadvantages.

Report of viewers.

SECTION 2. That the said viewers shall make report of their proceedings in writing to the next session of said court, describing the properties upon which assessments have been made, specifically stating whether for contribution or for damages, with the amounts respectively, and the said court may at the next session thereafter, or at any subsequent session, on the hearing of such parties as choose to contest the same, modify, approve and confirm the said report, which confirmation shall be final and conclusive upon all parties; and the said burgesses and council may proceed to collect all such damages and assessments for contribution, in the same manner as other debts due such boroughs are by law collectable.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 562.

AN ACT

Relating to Real Estate held by or for the Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pennsylvania railroad company be and they are hereby au-*

authorized and empowered to sell and dispose of such parts and Sales of real
 portions as they may deem expedient of a certain tract of land, estate authorized
 situate in the late district of West Philadelphia, now in the
 consolidated city of Philadelphia, part of the Powelton estate,
 containing thirty acres, more or less, (which John Hare Powell,
 by indenture dated the second day of May, Anno Domini eight-
 een hundred and fifty-three, recorded at Philadelphia in deed
 book T H, number eighty-four, page seventy-three, et cetera,
 granted unto the said company for the purposes and objects ap-
 pertaining to the legitimate business of the said company,) and
 they are hereby authorized to sell, grant and convey the same
 unto the purchaser or purchasers thereof in fee simple, upon
 ground rent or otherwise, free from the purposes and objects
 aforesaid. And in case any such sale or sales be made in con-
 sideration of a yearly rent or rents to be reserved to the said
 company and to remain charged upon the land so sold, then the
 said company are hereby authorized to hold and stand seized of
 each yearly rent or rents, with the rights, incidents and appur-
 tenances thereto belonging, and to sell and dispose of the same
 when they may deem it expedient: *Provided*, That the said
 company shall sell and dispose of absolutely, any ground rent
 or mortgage arising from the sale of said property within the
 period of ten years from the date of its creation.

SECTION 2. That the Pennsylvania railroad company afore- Authorized to
 said, be and they are hereby authorized and empowered to take take a certain
 and receive from the Girard life insurance, annuity and trust conveyance.
 company of Philadelphia, a conveyance of such part or parts as
 may be suitable to them for the purposes and objects of their
 incorporation, of a certain tract or parcel of land also part of
 the Powelton estate, in West Philadelphia, which William C.
 Patterson and wife and others, by indenture dated the twenty-
 first November, Anno Domini one thousand eight hundred and
 fifty-three, recorded in deed book T H, number one hundred
 and one, page five hundred and forty-seven, et cetera, granted
 unto the Girard life insurance, annuity and trust company of
 Philadelphia, in trust for certain purposes therein mentioned.
 And the said land so to be conveyed to the Pennsylvania rail-
 road company, shall be held by them, their successors and
 assigns, in fee simple, for the like and same purposes and ob-
 jects as those for which they have heretofore held the said tract
 of thirty acres: *Provided*, That the said land so to be conveyed, Limitation of
 together with the part of said thirty acres to be retained by the amount.
 said company, shall not in the whole exceed fifty acres, to be
 designated or located by the president of the company and the
 president of the board of canal commissioners: *And provided*
further, That the canal commissioners are hereby authorized to Canal commis-
 locate on the north-east side of the Columbia railroad a piece of sioners author-
 and sixty-six feet in width on the surface, with the necessary land. ed to take certain
 slope of embankment from the outside rail of the northern main
 track, beginning at the southern line of the ground occupied by
 the commonwealth for an engine depot, and extending parallel
 with said railroad to the river Schuylkill, or such portion of said
 ground as they may deem necessary for the interest of the state,
 to be paid for at a rate not exceeding the present value thereof.

SECTION 3. AND WHEREAS: The tract of land, part of the
 Powelton estate in West Philadelphia, aforesaid, was conveyed
 by William C. Patterson and wife, and others, by the above
 recited indenture, to the Girard life insurance, annuity and trust

No. 565.

A SUPPLEMENT

To an act to incorporate the Associated Butchers' and Drovers' Association, approved the seventeenth day of March, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the associated butchers and drovers of Philadelphia are hereby authorized to borrow a sum of money not exceeding one hundred thousand dollars, at a rate of interest not exceeding seven per cent. per annum, and to issue therefor their coupon bonds, in sums not less than one hundred dollars each, which they may sell and dispose of on the most available terms, and shall secure the same by a mortgage on all or any portion of the property of said company: Said loan may be made redeemable at such time as the board of directors of said company shall determine, and such stipulations may be embodied in such mortgage as said board of directors shall require, so as to exonerate from the lien thereof any parts of the land embraced in said mortgage, that said company may sell for building lots, or require for railroad purposes: *Provided however,* That the grounds of such sales shall be invested either in the re-purchase of the bonds secured by said mortgage, or in a sinking fund, to be erected for the re-payment of said loan; and that the consent of a majority of the stockholders to said loan shall be first obtained, at a special meeting called for that purpose: *And provided further,* That nothing herein contained shall be so construed as to extend the time for making sales of the real estate of said association, as limited in the act to which this is a supplement.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 566.

AN ACT

To create an additional Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

et, pay into the treasury of this commonwealth one per centum
n the amount of capital stock restored by virtue of this act.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one
ousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 564.

AN ACT

extending the chancery jurisdiction of the Courts of Common Pleas of the
Tenth Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tives of the Commonwealth of Pennsylvania in General Assem-
y met, and it is hereby enacted by the authority of the same, That*
several courts of common pleas of the tenth judicial district,
composed of the counties of Armstrong, Westmoreland and
Adiana, in addition to the powers and jurisdictions heretofore
exercised and exercised, shall have the same chancery powers
and jurisdictions which are now by law vested in the court of
common pleas or district of the city of Philadelphia; and in all
cases an appeal may be taken to the supreme court from the
final decrees of the said courts respectively in suits and pro-
ceedings in equity, in the same manner and on the same terms
and conditions as are provided in cases of appeal from the de-
crees of the court of common pleas or district court of the city
Philadelphia.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one
ousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 565.

A SUPPLEMENT

To an act to incorporate the Associated Butchers' and Drovers' Association, approved the seventeenth day of March, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the associated butchers and drovers of Philadelphia are hereby authorized to borrow a sum of money not exceeding one hundred thousand dollars, at a rate of interest not exceeding seven per cent. per annum, and to issue therefor their coupon bonds, in sums not less than one hundred dollars each, which they may sell and dispose of on the most available terms, and shall secure the same by a mortgage on all or any portion of the property of said company: Said loan may be made redeemable at such time as the board of directors of said company shall determine, and such stipulations may be embodied in such mortgage as said board of directors shall require, so as to exonerate from the lien thereof any parts of the land embraced in said mortgage, that said company may sell for building lots or require for railroad purposes: *Provided however,* That the grounds of such sales shall be invested either in the re-purchase of the bonds secured by said mortgage, or in a sinking fund, to be erected for the re-payment of said loan; and that the consent of a majority of the stockholders to said loan shall be first obtained, at a special meeting called for that purpose: *And provided further,* That nothing herein contained shall be so construed as to extend the time for making sales of the real estate of said association, as limited in the act to which this is a supplement.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 566.

AN ACT

To create an additional Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the counties of Columbia, Sullivan and Wyoming, be and they be hereby erected into a separate judicial district, to be called the twenty-sixth judicial district, the same to be organized on and after the first day of June next.

New district created.

Organization.

SECTION 2. That the qualified electors of the said twenty-sixth judicial district shall, on the second Tuesday of October next, elect a president judge for said district, according to the laws of this commonwealth, to serve for the term of ten years hereafter.

Election.

SECTION 3. That in addition to the terms of the several courts of Luzerne county, as now provided by law, the judges of said courts shall be and they are hereby authorized and empowered to establish two terms of the court of common pleas and orphans' court for said county, and by rules of court, to make the necessary orders for process and return days relating to said additional terms; and the said judges may also, at their discretion, order each and every term of the court of common pleas of said county to continue three weeks.

Terms.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 567.

AN ACT

Relative to the borough of Scranton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the common council of the borough of Scranton is hereby authorized to continue such streets as are now open and occupied according to the plot of said borough, and for that purpose to lay out and open the same to the borough limits: *Provided,* That for any damages claimed, said council shall have authority to ascertain the same, taking into consideration the advantages derived from such streets passing through the land of the claimant: *And provided further,* That the damages, if any, and expense of locating and opening said streets, shall be paid by said borough; and said council shall also have authority to vacate roads now located within said borough, upon the application of the owners of land through which such roads pass, provided other roads or streets are substituted in lieu thereof, equally convenient for the public.

LAWS OF PENNSYLVANIA,

SECTION 2. That said borough shall be entitled to its share of the proprietor's fund for school purposes in Providence township.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

No. 568.

AN ACT

For the greater certainty of title and more secure enjoyments of Real Estate.

Preamble.

WHEREAS, Public and private prosperity and happiness require that titles to real estate should be certain and secure, and that the people should acquire, hold and improve their homesteads and estates in the confidence that they will not be lost by secret and unknown claims, or by fraud and perjury, and also alienate them at their full value without abatement for legal doubts and uncertainties:

Actions limited.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no exception in any act of assembly respecting the limitation of actions in favor of persons *non compos mentes*, imprisoned, *femes covert*, or minors, shall extend so as to permit any person to maintain any action for the recovery of any lands or tenements after thirty years shall have elapsed since the right of entry thereto accrued, to any person within the exceptions aforesaid: *Provided*, That all persons who now have rights unbarred and who would be sooner barred by this section, shall not be thereby barred for five years from the date hereof.

Actions of ejectment to be indexed.

SECTION 2. That no purchaser or mortgagee shall be affected with notice of the pendency of any ejectment or action to recover real estate, or to compel a conveyance thereof, unless such action shall be indexed against the defendant, and any *terre tenant* made a party thereto, in a book to be kept by the prothonotary, and called the ejectment index, for which the plaintiff shall furnish the necessary information.

Duty of prothonotaries.

SECTION 3. That the lien of no judgment, recognizance, execution levied on real estate in the same or another county, or of writs of *scire facias* to revive or have execution of judgments, shall commence or be continued as against any purchaser or mortgagee unless the same be indexed in the county where the real estate is situated in a book to be called the judgment index; and it shall be the duty of the prothonotary or clerk forthwith to index the same according to priority of date, and the plain-

tiff shall furnish the proper information to enable him to perform said duty.

SECTION 4. That all declarations or creations of trusts or confidences of any lands, tenements or hereditaments, and all grants and assignments thereof shall be manifested by writing, signed by the party holding the title thereof, or by his last will in writing, or else to be void: *Provided*, That where any conveyance shall be made of any lands or tenements by which a trust or confidence shall or may arise or result by implication or construction of law, or be transferred or extinguished by act or operation of law, then and in every such case such trust or confidence shall be of the like force and effect as if this act had not been passed.

Trusts, &c., to be in writing.

SECTION 5. That no action shall be brought whereby to charge any person upon any contract hereafter to be made for the sale of lands, tenements or hereditaments, or any interest in or concerning them, unless the agreement upon which such action shall be brought shall be in writing and be signed by the party to be charged therewith, or some other person thereunto by him lawfully authorized by writing.

Certain agreements to be in writing.

SECTION 6. That no right of entry shall accrue or action be maintained for a specific performance of any contract for the sale of any real estate, or for damages for non-compliance with any such contract, or to enforce any equity of redemption after re-entry made for any condition broken, or to enforce any implied or resulting trust as to realty, but within five years after such contract was made or such equity or trust accrued, with the right of entry, unless such contract shall give a longer time for its performance, or there has been in part a substantial performance, or such contract, equity of redemption or trust shall have been acknowledged by writing to subsist by the party to be charged therewith within the said period: *Provided*, That as to any one affected with a trust by reason of his fraud, the said limitation shall begin to run only from the discovery thereof, or when by reasonable diligence the party defrauded might have discovered the same; but no *bona fide* purchaser from him shall be affected thereby or deprived of the protection of the said limitation: *And provided*, That any person who would be sooner barred by this section shall not be thereby barred for two years from the date hereof.

Certain rights regulated.

SECTION 7. That the probate by the register of the proper county of any will devising real estate shall be conclusive as to such realty, unless within five years from the date of such probate those interested to controvert it shall, by caveat and action at law duly pursued, contest the validity of such will as to such realty: *Provided*, That all persons who would be sooner barred by this section taking immediate effect, shall not be thereby barred before two years from the date hereof.

Effect of probate.

SECTION 8. That nothing in any act of assembly contained, shall be taken or construed to repeal or impair the act of the twelfth of March, one thousand eight hundred, entitled "An Act declaring the power and authority given by any last will and testament, to executors, to sell and convey real estates, to be and remain in the survivors of them, unless otherwise expressed in the will of the testator, and for other purposes therein mentioned;" and it shall be the duty of the register of wills, in granting letters of administration with the will annexed, to take adequate security for the faithful accounting for the pro-

Act of twelfth of March, 1800, declared to be in full force.

Bonds to be taken in certain cases.

ceeds of any sales of real estate the administrator may make under such will, and the sureties taken shall be liable therefor, as well as for any personal effects, to come into the hands of the administrator, who shall settle his accounts thereof before the register and orphans' court: *Provided*, That the parties interested may agree upon the amount of security to be taken.

Certain rights
regulated.

SECTION 9. That whensoever the real estate of several persons shall be subject to the lien of any judgment to which they should by law or equity contribute, or to which one should have subrogation against another or others, it shall be lawful for any one having right to have contribution or subrogation, in case of payment, upon suggestion by affidavit and proof of the facts necessary to establish such right, to obtain a rule on the plaintiff, to show cause why he should not levy upon and make sale of the real estate liable to execution for the payment of said judgment, in the proportion or in the succession in which the properties of the several owners shall in law or equity be liable to contribute towards the discharge of the common incumbrance, otherwise upon the payment of such judgment to assign the same for such uses as the court may direct; and the court shall have power to direct to what uses the said judgment shall be, assigned, and when assigned, direct all executions thereupon, so as to subserve the rights and equities of all parties whose real estate shall be liable thereto; and if the plaintiff shall refuse to accept his debt and make such assignment of his judgment, the executions thereupon in the hands of the plaintiff, shall be so controlled and directed by the court as to subserve said rights and equities.

Allotment of
lands in partition

SECTION 10. That in all cases of partition of real estate, in any court wherein a valuation shall have been made of the whole or parts thereof, the same shall be allotted to such one or more of the parties in interest, who shall, at the return of the rule to accept or refuse to take at the valuation, offer in writing the highest price therefor above the valuation returned, but if no higher offer be made for such real estate, or any part thereof, it shall be allotted or ordered to be sold as provided by law.

SECTION 11. That this act shall not go into effect before the first of October next.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 569.

AN ACT

To restrain the Erie Canal Company from fixing exorbitant Rates of Tolls, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall not be lawful for the Erie canal company to charge or collect more than six cents per ton for any freight passing over the canal of said company a shorter distance than five miles, nor shall it be lawful for said company to charge or collect for any distance greater than five miles, more than the maximum tolls now fixed and published by the toll sheet of said company, the same to be calculated upon each mile, discriminating only between way freight and through freight, and that the third section of the act, approved the eighteenth day of May, one thousand eight hundred and fifty-five, in relation to the Erie canal company, be and the same is hereby repealed.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 570.

AN ACT

To incorporate the Chesnut Hill Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Owen Sheridan, Joseph Middleton, Samuel H. Austin, Charles Heibner, George W. Watson, William Stallman, Mathias Haas, Charles Phipps, William L. Hirst, and John Stallman, be and they are hereby created and constituted a body politic, in fact and in law, by the name, style and title of the Chesnut Hill Style water company.*

SECTION 2. That the said corporation shall possess and enjoy all the rights, privileges, authority and immunities conferred on the Jefferson water company, by the act of the assembly, passed April twenty-third, one thousand eight hundred and fifty-two, Powers and duties

entitled "An Act to incorporate the Jefferson water company," and shall be subject to all the duties and liabilities by said act imposed on the said company, and to the right of the city of Philadelphia to purchase the works and property of said company, upon the same conditions as provided in said act: *Provided*, That said company shall not extend their pipes south-easterly beyond Miller's lane, on the north-east side of the Germantown turnpike, nor beyond Allen's lane, on the south-west side of said turnpike.

Capital.

SECTION 3. That the capital stock of the said Chesnut Hill water company shall be fifty thousand dollars, divided into five hundred shares of one hundred dollars each; and the said corporation may borrow twenty thousand dollars on mortgage of their lands, works, property and franchises, which mortgage shall be, and the same is hereby declared to be a good and valid lien thereon, to all intents and purposes: *Provided*, That no certificate of loan secured by said mortgage, shall be issued for an amount less than one hundred dollars.

Election.

SECTION 4. That the first election of directors by the said corporators, shall be held on the fourth Monday after the passage of this act.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 571.

AN ACT

To extend the Charter of the Philadelphia Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Philadelphia Bank be and it is hereby extended for a period of seventeen years from and after the expiration thereof, subject in all matters, except that its capital stock shall be divided into shares of one hundred dollars each, to the provisions, restrictions and conditions, and invested with the rights, privileges and immunities mentioned and contained in an act, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and the several supplements thereto: *Provided*, That the said bank shall pay into the state treasury a bonus of

one per cent. on its capital stock before this act shall go into effect.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 572.

A SUPPLEMENT

To an act, entitled "An Act to re-instate the Capital and extend the Charter of the Farmers' and Mechanics' Bank of Philadelphia," approved the sixteenth day of March, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Farmers' and Mechanics' Bank shall have the right to increase its capital stock, by adding thereto any sum not exceeding seven hundred and fifty thousand dollars, in shares of fifty dollars each; and the charter of the said bank is hereby extended for the period of eleven years from the expiration of its present charter, for which period it shall be subject in all other respects to the provisions, restrictions and conditions, and with all the rights, privileges, immunities, mentioned and contained in the act of the general assembly of this commonwealth, entitled "An Act regulating banks," passed the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and the several supplements thereto.

May increase capital stock.

Charter extended

Subject to.

SECTION 2. That said bank shall, within one year from and after the passage of this act, pay into the treasury of the commonwealth one per cent. on the amount of increase of its capital stock hereby authorized, and on the expiration of its present charter, one per cent. on the amount of its capital previous to said increase; and the additional capital stock hereby authorized, shall be divided among such of the present stockholders as may elect to take the same, upon sixty days' notice in at least two daily newspapers published in the city of Philadelphia, in proportion to their respective shares; and if any of said increased stock shall not be taken by the said stockholders, the same shall be sold by the said bank at public sale, by auction, to the highest bidder, in quantities not exceeding five thousand dollars each.

Tax.

Division of increased stock.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

LAWS OF PENNSYLVANIA,

No. 573.

AN ACT

To incorporate the Conemaugh Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners John Murray, Jacob Fronheiser, James H. Pennel, John Fenlon, David Prosser, C. P. Murray, P. Cawfield and William Howard, of Cambria county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company under the name, style and title of the Conemaugh bridge company, for the purpose of erecting a bridge across the Conemaugh river, at or near the first fording above the feeder dam for the canal basin at Johnstown, in Conemaugh township, Cambria county.

SECTION 2. That the capital stock of said company shall be five thousand dollars, to be divided into shares of ten dollars each, with power to increase the said capital stock and number of shares to an amount sufficient for the erection of said bridge.

SECTION 3. That said company shall be organized under and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 574.

AN ACT

To incorporate the Johnstown Water and Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Corporators P. F. Gibbons, Cyrus L. Pershing, Charles P. Murray, John Flanagan and Dr. John Lowman, and their successors, associates and assigns, or persons who shall become stockholders, be and they are hereby made and created a body politic and corporate, by the name, style and title of the Johnstown water and gas

company, and by the said name they shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatures whatsoever, and also of contracting and being contracted with relative to the business and objects of said corporation; and they may have a common seal and may change and alter the same at pleasure, and they shall have power to lease or purchase in fee simple, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute their obligations for their liabilities created for the purchase money for the same and other necessary effects of said corporation, as they may deem expedient: *Provided*, That such liabilities shall be created only for the purposes stated in this act.

Privileges.

SECTION 2. That the said company shall have power to provide, erect and maintain all works and machinery or engines necessary or proper for making, raising and introducing into the borough of Johnstown, the adjoining borough of Conemaugh and Kernsville, a sufficient supply of pure water and gas, and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of water and gas, or either of them to be introduced; and for that purpose they are authorized and empowered by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and horses to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as may be necessary to occupy or to obtain materials for the construction of the said works, and to occupy, ditch and lay pipes through the same, and the same from time to time repair; and if any injury be done to private property the said company shall make compensation therefor in the manner hereinafter provided.

Power to erect works, &c.

SECTION 3. That if in the location of said works an injury shall be done to private property and the parties cannot agree upon the amount of compensation to be made to the owner or owners, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of Cambria county for the appointment of three judicious men to view the premises and make report to the court, whose award shall be subject to the right of appeal by either party, and when appealed from to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment and be collected in like manner.

Damages.

SECTION 4. That the capital stock of said company shall be eighty thousand dollars, to be divided into thirty two hundred shares of twenty-five dollars each, with the right to increase said capital stock from time to time as the board of directors or managers may deem necessary: *Provided*, That the whole capital stock shall not exceed one hundred thousand dollars.

Capital.

SECTION 5. That the stockholders shall annually, on the first Monday in June of each year, elect a president, three managers, a secretary and treasurer for said company; and until the first Monday in June next the corporators above named shall be the managers thereof, and shall choose from their number a president, secretary and treasurer.

Election of officers

SECTION 6. That the said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*,

By-laws.

That the same do not conflict with constitution and laws of this commonwealth.

Subscriptions.

SECTION 7. That it shall be lawful for the boroughs of Johnstown and Conemaugh, in their corporate capacity, to subscribe for any number of shares of stock of the said company, specifying, if the said boroughs, in their corporate capacities as aforesaid, think proper, whether their subscriptions so made by the said boroughs, shall be applied to the construction of water or gas works; and to enable the said boroughs of Johnstown and Conemaugh to subscribe stock as aforesaid, they are hereby authorized to borrow from time to time, any amount of money not exceeding the one-third of the whole sum required to carry into successful operation the said water works or gas works, or either of them, and to pledge their property and franchises for the payment of the same; and if the said boroughs of Johnstown and Conemaugh shall subscribe and take one-third of the capital stock which shall be subscribed for the completion of said work or works, the town council of the said boroughs shall annually appoint each one manager of said company, and in that event, the election of all stockholders shall be confined to the president and three managers, secretary and treasurer, as aforesaid, and other stockholders shall alone have power to vote at such elections and meetings.

Certificates of stock.

SECTION 8. That the president and managers shall procure certificates of stock, which, when signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his or her pleasure, in the presence of the president, treasurer, or other person appointed by the company for that purpose, subject, however, to all payments due and to become due thereon; and when such assignment shall have been made and entered upon the books of the said company, the holder shall be a member of said company, and in every election or meeting of stockholders of said company, shall be entitled to one vote for each share of stock by him or them held.

Transfers.

Collection of subscriptions.

SECTION 9. That if any subscriber for stock of said company, or his or their assigns, shall refuse or neglect to pay any instalment called for by the said company, at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay, and if the same shall remain so long as that this penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of said company to forfeit the said stock, and the amount paid thereon, to be disposed of by the said company as will best promote their objects.

May borrow money, &c.

SECTION 10. That the said company, if necessity shall require, shall have power at any time to borrow any sum of money not exceeding twenty thousand dollars, to be applied to the prosecution or improvement of the said water or gas works, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for security and payment of the same: *Provided*, That no bonds shall be issued for a less sum than one hundred dollars.

Organization.

SECTION 11. That the said corporators above named, or any three of them, shall have power to organize said company at any time after the passage of this act, by opening books in the said boroughs of Johnstown and Conemaugh, and soliciting

subscriptions to the capital stock of said water or gas company, and to contract with any person or persons for the erection of the said works, or either of them: *Provided*, That no contract shall be made for the erection of the said work or works, till at least twenty-five thousand dollars of the capital stock of said company shall first be subscribed, after at least one week's due notice in one newspaper printed in the said borough of Johnstown. *Proviso.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 575.

AN ACT

To incorporate the Mutual Fire Insurance Company of Roxborough, Manayunk and Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Charles Thomson Jones, James F. Nicholas, John Hagy, Nathan L. Jones, Henry Proot, George W. Davis, Henry K. Bogle, Joseph Dickinson, Joseph Shantz, Daniel O. Hitner, John Dager, John Richter, junior, and Benjamin Harry, are hereby appointed commissioners, who or a majority of whom are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be called and known by the name and title of the Mutual fire insurance company of Roxborough, Manayunk and Montgomery county, to be located in Roxborough, in the Twenty-first ward of the city of Philadelphia, with the power to establish agencies; which said company shall be organized and managed according to an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini, one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, with the right to transact its business upon the mutual principle.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 576.

AN ACT

To change the name of the Greenwich Land and Building Association, and to authorize said company to construct a Railroad in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Greenwich land and building association is hereby changed in its name, style and title, and shall be known hereafter by the name, style and title of the Greenwich improvement and railroad company, and shall retain under the said name and title all its existing powers, privileges, rights and property, and be subject to all its present duties, obligations and liabilities.

Name changed.

Privileges continued.

Authorized to make a railroad.

Subject to.

proviso.

SECTION 2. That the said company is hereby authorized and empowered to construct a railroad with one or more tracks, from their property in the First ward, in the city of Philadelphia, to some convenient point in the said ward, and connect the same with any railroads therein, subject to all the provisions of the act of assembly regulating railroads, approved February nineteenth, Anno Domini, one thousand eight hundred and forty-nine; and the said company shall have the right to increase its capital stock to the extent of two thousand shares more: *Provided,* That said road shall be located as regards grades and route, by and under the approval of the board of surveys of said city: *And provided,* That nothing herein contained shall extend the existence of said corporation beyond its present limit.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 577.

AN ACT

To incorporate the Lackawanna Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Fellows, second, Orrin Frink, Charles W. Potter, Wil-

iam Merrifield, A. B. Dunning, Joseph Godfrey, B. A. Throop, Commissioners. William P. Stephens and William P. Carling, of the county of Luzerne, be and are hereby appointed commissioners, (a majority of whom shall be a quorum,) to open books to receive subscriptions of stock for the purpose of erecting a bridge across the Lackawanna river, between the boroughs of Hyde Park and Scranton, above the Delaware, Lackawanna and Western railroad bridge, at such place as the president, directors and managers shall select. Their duties.

SECTION 2. That the officers of said company shall consist of a president, four managers, a treasurer and secretary, and when so organized the corporate name of the company shall be the president and managers of the Lackawanna bridge company. Officers.
Style.

SECTION 3. That the capital stock of said company shall consist of three hundred shares of fifty dollars each. Capital.

SECTION 4. That the said bridge company shall be subject to all the provisions of an act, entitled "An Act regulating bridge companies," approved the twelfth day of April, one thousand eight hundred and fifty-five. Subject to.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 578.

AN ACT

Relative to the Estate of Joshua Griffin, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Calvin Spencer, guardian of John, Maria and Mehitable Griffin, minor children of Joshua Griffin, late of Providence, Luzerne county, deceased, be and is hereby authorized to sell at public or private sale, the interest of said minor children in the homestead or real estate on which said decedent lived at the time of his death, (under the will,) and make deed or deeds to the purchasers thereof, leaving the widow's dower charged on the lands during her life, and the principal thereof payable at her death, or upon the said wards severally becoming of age, with the widow's assent: *Provided,* That before any deed is executed and delivered, the said guardian shall make report of any and all sales, to the orphans' court of said county; and if the said sale or sales shall be approved of by the said court, the court shall order and direct the said guardian to file a bond or

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bonds, and the amount thereof with security, with conditions similar to the conditions now required by law in case of an order of sale to a guardian; and upon the filing of the bond or bonds, and approval of the security, the said court shall forthwith endorse an order of absolute confirmation of the sale.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 579.

AN ACT

To incorporate the Westmoreland Safety Mutual Insurance Company.

Corporators

Style.

Insurances.

Capital

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Israel Painter, Cyrus P. Markle, Israel Uncapher, Joseph Lippincott, Daniel Shupe, Jesse Kilgore, David Fullwood, Edward J. Keenan, John George of North Huntingdon, George Albert, John M'Farland, Levi Kempf, S. D. Johnson, John Eicher, J. P. Hurst, James C. Clarke, Esq., Thomas J. Barclay, and all other persons who may associate with them in the manner hereinafter provided, shall be and are hereby constituted a body corporate and politic, by the name of the Westmoreland safety mutual insurance company, which shall have perpetual succession, with power and authority to make contracts of insurance with any person or persons, or any body politic or corporate, against any loss or damage of property by fire, or any cause of risk, to make all kinds of insurance against loss or damage of goods, merchandize, or other kinds of property in the course of transportation by land or water, or otherwise, and in any vessel or boat or other water-craft, and to make insurance upon such goods, wares and merchandize, and to cause themselves to be insured against any loss, damage or risk in course of their business, for such term or terms of time, and for such premium or consideration, and with such modifications and restrictions as may be agreed upon between the said corporation and the persons agreeing with them for insurance, with a capital stock of five thousand shares of twenty-five dollars each, and with all the privileges and powers conferred upon the Girard fire and marine insurance company of Philadelphia, by its act of incorporation, approved twenty-sixth day of March, A. D., one thousand eight hundred and fifty-three, except such as are inconsistent with the provisions of this act.

SECTION 2. That the affairs of this corporation shall be managed by a board of seven directors, and all vacancies occurring in said board shall be filled by the remaining directors for the remainder of the year for which they were elected. Directors.

SECTION 3. That after the first election the directors shall be elected by the stockholders on the third Monday of November, at such hour and place in the borough of Greensburg as the directors for the time being shall appoint, of which ten days' notice in at least one newspaper published in said borough, shall be given. Elections.

SECTION 4. That as soon as two thousand shares of the capital stock are subscribed for, and ten dollars per share paid in, the governor shall issue letters patent incorporating the subscribers into a body politic; and in all elections each share of stock shall entitle the holder thereof to one vote. Letters patent.

SECTION 5. That it shall be lawful for the said company to establish agencies within this commonwealth for the purpose of effecting insurance and transacting the business of the company, and all contracts, agreements and receipts of such agents, shall be as valid and binding as if the same were effected by the resident and directors of said company. Agencies.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 580.

A N A C T

To confer upon Eliza Cameron Warford, adopted daughter of Anthony B. Warford and Eliza Warford his wife, the rights of a child born of their bodies.

WHEREAS, Anthony B. Warford and Eliza Warford his wife, of the borough of Harrisburg, have adopted as their own child Eliza Cameron Warford, a daughter of James Warford, deceased, mother of the said Anthony B. Warford; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same; That Eliza Cameron Warford, daughter of James Warford, deceased, and adopted daughter of Anthony B. Warford and Eliza Warford his wife, shall have and enjoy all the rights, liberties and privileges of a daughter of the said A. B. Warford and Eliza Warford, and shall be able and capable of inheriting their estate*

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as fully and effectually as if she was their daughter, born of them in lawful wedlock.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 581.

AN ACT .

To incorporate the St. Clair Cemetery Association, of the borough of Greensburg, Westmoreland county.

Corporators.

Style.

Election of president and directors, and their powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Richard Coulter, James C. Clarke, James F. Woods, Hugh Y. Brady, Jacob Welty, John Morrison, Thomas J. Barclay, Alexander M'Kinney, Henry Welty, John Armstrong, John Armstrong, jr., Samuel P. Brown, Edgar Cowan, William Jack's executors, John Loor, Daniel Kistler, jr., David W. Shryock, Philanthropy Lodge number two hundred and twenty-five Ancient York Masons, W. H. Markle, Mathew J. Shields, David Fullwood, Israel Uncapher, Jacob Turney, James Todd, William A. Stokes, John H. Isett, William A. Cook, Robert Graham, Harriet M'Clelland, Lewis Trauger, Andrew Graham and J. Heron Foster, together with all others who may become owners, by purchase or otherwise, of burial lots in the hereinafter named cemetery, be and they are hereby created a body politic in law, under the name and title of The St. Clair Cemetery association, and by that name shall have perpetual succession, and be able and capable in law to have and use a common seal, and the same to alter at pleasure, to sue and be sued, implead and be impleaded, in all courts of law and equity, and to do all such other things as are incident to a corporation.

SECTION 2. That the affairs of said association shall be conducted by a board of six directors, to be chosen for the terms and in the manner hereinafter directed, who shall at their first meeting after each annual election hereinafter provided for, select by ballot one of their number to act as president for the ensuing year; the directors shall also have power to appoint a treasurer, secretary, sexton, and all other officers and workmen which may be needful, and fix their compensation or wages, and the same to remove and discharge at pleasure, to take from the treasurer and all other officers security for the faithful performance of their trusts, to establish and ordain all by-laws,

rules and regulations for the government of the association, not inconsistent with the constitution and laws of this commonwealth, and the same to alter, amend or repeal at pleasure, and they, the said directors, shall keep fair minutes of all their acts and doings: *Provided*, That at any and all meetings of the directors, it shall require four to constitute a quorum to do business, and a majority of those present shall decide all questions. Quorum.

SECTION 3. That the said association, by its directors, shall have power to receive all gifts, devises, bequests and donations of property, and to hold and apply the same for the benefit of the association, to purchase and hold any amount of real estate not exceeding twenty acres, in and adjoining the borough of Greensburg, in the county of Westmoreland, in connection with the Greensburg borough burial ground, wherein the remains of General Arthur St. Clair are interred, for the purpose of a cemetery or burial ground, and the same to lay out and ornament, and to divide and arrange into suitable plots and burial lots, remove and alter old and erect new buildings, and to do all things proper and necessary to be done to adapt said ground for the purpose of a cemetery, and to sell and dispose of such plots and burial lots for the purpose of sepulture, to individuals, societies, or congregations, under such conditions, rules and regulations, as the said directors may establish and adopt for the government of lot holders, visitors to the cemetery, and burial of the dead, and ornamenting and using of said lots: *Provided*, That the lots granted by the said association shall not be used for any other purpose, and that they shall be forever free and exempt from seizure and sale by virtue of any execution, attachment, or otherwise, against any grantee or grantees of said association, their heirs or assigns. Privileges.

SECTION 4. That all elections for directors shall be by ballot, and the first election shall take place as soon as convenient after the passage of this act, to be conducted by Doctor John Morrison and D. W. Shryock, who are hereby appointed inspectors to hold the same: At said first election six directors shall be chosen by and from amongst the persons named as corporators in the first section of this act; the six directors so chosen shall immediately divide themselves by lot into three classes of two each, who shall hold their office until the third Monday in January of the years one thousand eight hundred and fifty-seven, one thousand eight hundred fifty-eight, and one thousand eight hundred and fifty-nine respectively, and until their successors shall be legally chosen: Upon the third Monday of January in the year one thousand eight hundred and fifty-seven, and upon the third Monday of January in each year thereafter, the lot holders shall choose from amongst themselves two directors, to serve for the term of three years, and until their successors shall be legally chosen, each lot owner being entitled to one vote at said election, except where a lot shall have by descent or transfer other than from the association direct, passed into the hands of and be owned by more than one person, in which case each such lot shall be entitled to one vote only, to be cast by the majority of those owning the same: All said elections except the first, shall be conducted by two inspectors, to be appointed by the directors, neither of whom shall be directors or candidates: *Provided*, That ten days' previous notice shall be given of the time and place of holding such Directors to be classified.

Vacancies. elections, by six or more written or printed advertisements, posted up in conspicuous places in said borough of Greensburg and upon the cemetery grounds, and that said election shall continue open between the hours of two o'clock, P. M. and five o'clock, P. M: *And provided further,* That in case of vacancies occurring in the board of directors, by death, resignation, failure at any time to elect, or otherwise, the same shall be filled by the lot owners at the next annual election, for the unexpired term or terms of such director or directors: *And provided further,* That no voting by proxy shall in any case be allowed.

Annual meetings SECTION 5. That upon the day of the annual election in each year, and at the same time and place of holding such election, there shall be a general meeting of the lot holders, which shall be organized by calling one of their number to preside, whereupon the president of the board of directors shall make a detailed report of the affairs of the association, including a statement of the operations of the board for the previous year, and of the finances, which report shall be acted upon by said meeting, and the same, with the proceedings of said meeting, entered at length upon the minutes of the association.

May take conveyance of certain property. SECTION 6. That it shall be lawful for the burgesses and assistant burgesses of the borough of Greensburg, in the county of Westmoreland, or a majority of them, to convey by deed of indenture in fee simple, forever, unto the said Saint Clair cemetery association, for the use of the said cemetery, all the before mentioned borough burial ground, containing one hundred and thirty-one perches, it being the last described lot of ground conveyed unto the said borough by William Jack, Esquire, by deed dated the eighteenth day of April, one thousand eight hundred and three, and recorded in the recorder's office for said county, in deed book number seven, pages one hundred and seven and eight.

Exemptions SECTION 7. That the real estate of said association shall be free and exempt from all taxation; and no street, lane, road, railroad, canal, or other highway, shall ever be laid out through the grounds of the same, except by the authority or consent of the association.

Street vacated. SECTION 8. That so much of the Emerald street in the said borough of Greensburg, as lies north of an alley which runs from the borough school house lot east to said Emerald street, be and the same is hereby vacated.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 582.

AN ACT

To incorporate the Kensington Glass Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Sheets, Hugh Duffy, F. Doebely, William Grange, John Medlam and Peter Rambo, and such other persons as shall be associated with them, and their successors and assigns, be and the same are hereby incorporated into a body politic and corporate for the period of twenty years from the passage of this act, with a capital of two hundred and fifty thousand dollars, to be divided into shares of fifty dollars each, for the purpose of manufacturing glass, under the name, style and title of the Kensington glass company of Philadelphia, and shall have authority to make and use a common seal, and the same to break, alter or renew at pleasure, and by name and style shall be capable in law to sue and be sued, plead and be impleaded, in any court, before any judge or justice, in all manner of suits, and shall be capable of taking and holding to them and their successors, land and tenements not exceeding one square of ground of the town plot of the city of Philadelphia, goods, chattels, securities, machinery, fixtures and effects necessary for the prosecution of their business, and the same to sell, alien, convey or dispose of at pleasure, and is hereby authorized and empowered to make by-laws, rules and regulations, and to do everything needful for the good government of said company: *Provided,* That said rules and by-laws shall not be repugnant to the constitution and laws of this commonwealth or of the United States.

Corporators.

Length of charter.

Capital.

Style.

Privileges.

By-laws.

SECTION 2. That the affairs of said company shall be managed by a board of seven directors, one of whom shall be the president, to be elected by and from the stockholders, and shall have power to appoint and employ such agents, officers, clerks and workmen as may be necessary for the purposes of said corporation.

Directors.

SECTION 3. That the first election for directors shall be held within twelve months after the passage of this act, of which election public notice shall be given at least two weeks previously thereto in two or more newspapers published in the city of Philadelphia, and shall be annually elected thereafter, of which previous notice shall in like manner be given: *Provided,* That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected, which shall be within six months from the time of such failure.

Elections.

Provide.

SECTION 4. That the election for directors shall be by ballot, and each stockholder shall be entitled to vote according to the number of shares held by him, in the following ratio, namely: For each share not exceeding two shares, one vote; for every two shares above two and not exceeding twenty-five shares, one vote; for every four shares above twenty-five and not exceed-

Elections by ballot.

Votes.

ing fifty, one vote; and for every six shares above fifty, one vote. No share shall confer the right of voting whilst any instalment is due thereon and unpaid, nor which shall have been transferred within three months previous to the election, nor unless bona fide held by the person in whose name it appears in his own right or that of his wife, or an executor, administrator, trustee or guardian; and all votes by proxy shall be in the terms and conditions prescribed by the several acts of assembly regulating proxies.

Business.

SECTION 5. That the said company are hereby authorized and empowered to pursue the business of manufacturing glass and all other articles necessary for the carrying on said manufacturing.

Dividends.

SECTION 6. That dividends of so much of the net profits as the directors think advisable, may be declared as soon after the settlement of the books on the first day of January, in every year, as may be convenient, and be paid to the stockholders or their legal representatives at any time, on demand, after the expiration of twenty days from such declaration; but the dividends shall in no case exceed the net profits actually acquired by the company as exhibited by the books and accounts.

**Property taken
for subscriptions
per value.**

SECTION 7. That any real estate or property, materials or machinery for making glass which may be received in payment for stock, shall be taken at a valuation approved by the board of directors or a majority of the stockholders: and this act shall not go into effect until at least thirty thousand dollars shall have been subscribed and at least one-half paid in, of which notice shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon the governor shall issue letters patent to the corporators.

**How subscrip-
tions may be paid**

SECTION 8. That subscriptions of stock may be paid in real or personal estate appropriate to the business contemplated, at a bona fide valuation, to be fixed and agreed upon by a majority of those stockholders and corporators conversant with said business.

Borrow money.

SECTION 9. That the said corporation may borrow money, not exceeding fifty thousand dollars, and issue their bonds therefor, with or without any accompanying mortgage, at a rate of interest not to exceed seven per centum per annum.

**Individual li-
ability.**

SECTION 10. That the stockholders and corporation shall be subject to all the provisions and liabilities contained in the eleventh, twelfth, thirteenth and fourteenth sections of an act, entitled "An Act to incorporate the Lackawanna iron and coal company," approved the fifth day of April, one thousand eight hundred and fifty-three: *Provided*, That no stockholders shall be individually liable, in person or estate, for any loan or loans made to the said company.

Proviso.**Transfers**

SECTION 11. That the stock may be transferred agreeably to the by-laws which may be adopted by said corporation.

Limitation.

SECTION 12. That this charter shall continue in force for twenty years from the date of the letters patent and no longer, unless extended by an act of the legislature, except for the purpose of winding up its affairs; and the legislature reserves the right to amend, alter or repeal the same at any time, in

such manner, however, as shall do no injustice to the corporators.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 583.

AN ACT

To incorporate the Warehousing Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William C. Patterson, Augustus J. Pleasonton, George C. Harvey, W. Neilson, S. R. Crawford, their associates, successors and assigns, and all and every other person or persons who shall hereafter become shareholders in the Warehousing company of Philadelphia, are hereby created a body corporate and politic, in law and in fact, by the aforesaid name and style of the Warehousing company of Philadelphia, and by that name shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever, and also of contracting and being contracted with relative to the business and objects of said corporation, and to hold and convey real estate, to hire, rent, construct or purchase such storehouses and wharves as they may require for the purposes of their business, and to have and use a common seal, to alter the same at pleasure, and to make and ordain all such lawful by-laws and regulations as may be necessary and required to carry out the objects of the said corporation; and the said corporators are also hereby empowered to fill up the subscription to the capital stock, and to organize the said company for the purpose and object of warehousing goods and merchandize of every kind, sort and description, whether foreign or otherwise, or whether the same be in custom house bond, duties paid or free of duty.

SECTION 2. That the capital stock of the said company shall consist of one hundred thousand dollars, divided into shares of twenty-five dollars each, and the company shall have authority to increase the said capital to the extent of five hundred thousand dollars in addition thereto, whensoever so required by a majority in value of the stockholders.

SECTION 3. That the business of the corporation shall be managed and conducted by a certain number of directors, not exceeding fifteen, and not less than five, all of whom shall be stockholders in their own right, elected by ballot annually on the first Monday of June in each year, by the stockholders at

their general meeting held for that purpose, and of which five days' notice, in at least two daily newspapers of the city of Philadelphia, shall be given, and at such elections and in deciding all questions, each share shall entitle the holder to one vote. And further, that the said directors, at their first meeting after each election shall choose one of their number as chairman or president, but in case it should happen at any time that no election of directors should be made upon the day herein appointed for that purpose, it shall be lawful to hold and make an election of directors in such manner as shall be regulated by the by-laws of the said corporation, and in case of the death, incapacity or resignation of any director, his place may be filled up for the remainder of the year in such manner as the aforesaid by-laws for that purpose shall direct: *Provided*, That the first election for directors shall be made at a time and place to be appointed by the corporators above mentioned, and that the directors then chosen shall hold their office for twelve months thereafter, or further, until the first Monday in June occurring after the expiration of that period.

Payment of stock SECTION 4. That the capital stock of the said company shall be called in and paid for at such time and times, and in such proportion or proportions as the president and directors shall declare and require, upon thirty days' previous notice thereof being given, and any subscriber, stockholder or stockholders, his, her or their executors, assigns or representatives neglecting, failing or refusing to pay any instalment or assessment so made and declared upon shares subscribed for by him, her or them, at the time and times at which the same are made payable as aforesaid, shall forfeit to the use of the company all shares of stock upon which assessments are remaining unpaid, together with whatever money for calls may have been previously paid thereon.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 584.

AN ACT

To incorporate the Trustees of the Theological Seminary of the Reformed Presbyterian Church in North America.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Gabriel Adams, Daniel M'Millan, Robert Orr, Henry Sterling,*

Joseph Fleming, James N. Gifford, Robert Steenson, George H. Stewart, and their successors duly elected and appointed as hereinafter directed, be and hereby are declared a body politic and corporate, in law and fact, with the name and title of the Trustees of the Theological seminary of the Reformed Presbyterian church in North America, and shall have all the right, franchises and power, and be subject to all the liabilities which by law pertain to a corporation, including the right and liability of action and the right to use a common seal, and to receive and hold real and personal property to an amount not exceeding in clear annual value the sum of ten thousand dollars, and to convey the same at pleasure.

Style.

Privileges.

SECTION 2. That the purposes of the said corporation shall be the preparation of young men for the gospel ministry; and the course of instruction in the seminary shall be conducted according to the direction of the General Synod of the Reformed Presbyterian church of North America, and under the supervision of such board or committee as they shall think proper to constitute, and in such form as they shall direct or allow.

Objects.

SECTION 3. That the trustees shall consist of any number not exceeding eighteen which the said synod shall choose, who shall manage and dispose of the property and funds committed to their care for the purposes of the said seminary, and obey all such special instructions in relation thereto not inconsistent with the purposes of the trust and the law of the land, as shall be given to them by the said General-Synod, in writing, under the hand of their clerk; and the said General Synod shall have power to change one-third of their number annually, in such manner as said synod shall deem proper.

Trustees and their powers and duties

SECTION 4. That the said trustees shall have a president, secretary and treasurer, and shall have power to make all such rules and by-laws for their regulation that are not inconsistent with the trust reposed in them, nor with the law of the land, as they may think proper; and a quorum shall consist of such number as the said General Synod shall from time to time declare, and they shall keep a fair record of all their proceedings and make a full report of all their receipts and disbursements to the said synod as often as the same shall be required.

Officers and by-laws.

Quorum

SECTION 5. That the legislature reserves the right of repealing this act of incorporation, whenever, in their opinion, the public interest shall require it.

Reservation.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 585.

AN ACT

To provide for the ordinary expenses of Government, the repairs of the Public Canals and Railroads, and other general and special Appropriations.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and same are hereby specifically appropriated to the several objects hereinafter mentioned, for the year commencing on the first day of June, one thousand eight hundred and fifty-six, to be paid out of any money in the treasury not otherwise appropriated.
- Appropriations.**
- Governor.** **SECTION 2.** For the salary of the governor of the commonwealth, three thousand five hundred dollars.
- Secretary of the commonwealth.** For the salary of the secretary of the commonwealth, twelve hundred dollars, and the further sum of five hundred dollars to be paid to him as superintendent of common schools.
- Deputy secretary.** For the salary of the deputy secretary of the commonwealth, fourteen hundred dollars.
- Auditor general.** For the salary of the auditor general, including his compensation as commissioner of the sinking fund, seventeen hundred dollars.
- Surveyor general.** For the salary of the surveyor general, fourteen hundred dollars.
- Attorney general.** For the salary of the attorney general, three hundred dollars.
- Adjutant general.** For the salary of the adjutant general, three hundred dollars.
- State treasurer.** For the salary of the state treasurer, including his compensation as commissioner of the sinking fund, seventeen hundred dollars.
- Clerk hire in public offices.** For clerk hire in the state department, five thousand dollars.
For clerk hire in the auditor general's office, eight thousand dollars.
For clerk hire in the state treasurer's office, four thousand dollars.
For clerk hire in the surveyor general's office, seven thousand six hundred dollars, and the further sum of six hundred dollars, or so much thereof as may be necessary, for extra clerk hire in copying defaced surveys.
- State librarian.** For the salary of the state librarian, eight hundred dollars.
- Contingent expenses of the executive, state and school departments.** **SECTION 3.** For the payment of the contingent expenses of the executive, state and school departments, to wit :
For stationery, five hundred dollars.
For postage and telegraphic despatches, one thousand eight hundred dollars.
For the payment of messengers, nine hundred and fifty dollars.
For fuel and light, seventy-five dollars.
For cleaning offices, thirty-five dollars.
For blank books, fifty dollars.
For miscellaneous expenses in the secretary's office, fifty dollars.

For painting, white-washing, alterations and repairs of the department, two hundred and fifty dollars.

SECTION 4. For the payment of contingent expenses of the Auditor general's office, to wit:

For postage and telegraphic despatches, five hundred dollars.

For the pay of messenger, four hundred and fifty dollars.

For stationery, three hundred and fifty dollars.

For fuel, seventy-five dollars.

For carpeting, one hundred and fifty dollars.

For miscellaneous expenses, seventy-five dollars.

SECTION 5. For the payment of the contingent expenses of the Treasurer's office, to wit:

For postage and telegraphic despatches, four hundred and fifty dollars.

For stationery and blank books, two hundred dollars.

For fuel and light, seventy-five dollars.

For messenger and night-watch, five hundred and fifty dollars.

For miscellaneous expenses, one hundred dollars.

SECTION 6. For the payment of the contingent expenses of the Surveyor general's office, to wit:

For the payment of messenger, four hundred and fifty dollars.

For postage, five hundred dollars.

For stationery and blank books, two hundred and fifty dollars.

For fuel, seventy-five dollars.

For repairs, sixty dollars.

For washing and cleaning offices, thirty-seven dollars.

For miscellaneous expenses, fifty-eight dollars.

SECTION 7. For the payment of the expenses of the Legislature, including the pay and mileage of members, clerks, officers and contingent expenses of the two houses, and the amount authorized by the eleventh section of the act passed the seventh of May, Anno Domini, one thousand eight hundred and fifty-five, for stationery, newspapers and lights, the sum of one hundred and twenty-five thousand dollars.

SECTION 8. For packing and distributing the laws and journals of the legislature, seven hundred dollars; the packing and distributing thereof to be performed under the direction of the Secretary of the commonwealth.

SECTION 9. For public printing, folding, stitching and binding, thirty thousand dollars.

SECTION 10. For miscellaneous expenses, three thousand dollars, to be accounted for in the usual manner.

SECTION 11. For the payment of the borough of Harrisburg for supplying the public buildings with water, as per the act of the twenty-eighth of April, one thousand eight hundred and forty, six hundred dollars. To the Harrisburg gas company, for furnishing gas for the public buildings and walks, the sum of one thousand eight hundred dollars, or so much thereof as may be necessary for that purpose; to be paid on the warrant of the Governor under contract with the company, in pursuance of the act incorporating said company and its supplements.

SECTION 12. For the support of the common schools, two hundred and thirty-one thousand five hundred dollars; to be paid on warrants drawn by the superintendent of common schools in favor of the accepting school districts of the commonwealth, in proportion to the number of taxable inhabitants in each, after

deducting clerk hire and necessary contingent expenses of the school department, to be accounted for in the usual way.

Pensions.

SECTION 13. For the payment of pensions and gratuities, fifteen thousand dollars, or so much thereof as may be necessary.

Supreme judges.

SECTION 14. For the payment of the expenses of the judiciary to wit: For the payment of the salaries and per diem allowance of the judges of the supreme court, the sum of eighteen thousand seven hundred dollars.

Judges Philadelphia county.

SECTION 15. For the payment of the salaries of the judges of the district court, and president and associate law judges of the court of common pleas of the city and county of Philadelphia the sum of sixteen thousand eight hundred dollars.

Judges Allegheny county.

SECTION 16. For the payment of the salaries of the judges of the district court and president judge of the court of common pleas of Allegheny county, the sum of seven thousand five hundred dollars.

Judges common pleas.

SECTION 17. For the payment of the salaries and mileage of the president judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia and county of Allegheny, the sum of fifty-two thousand seven hundred dollars.

Associate judges.

SECTION 18. For the payment of the salaries and mileage of the associate judges of the several courts in this commonwealth the sum of sixteen thousand five hundred dollars.

Salaries of the judges fixed.

SECTION 19. That from and after the first day of January, eighteen hundred and fifty-six, the annual salary of the judges of the supreme court shall be as follows: The chief justice three thousand dollars; the salary of the associate judges, two thousand eight hundred dollars each; the salary of the judges of the district court, and president and associate law judges of the court of common pleas of the county of Philadelphia, two thousand eight hundred dollars each; the salary of the judges of the district court and president judge of the court of common pleas of the county of Allegheny, two thousand five hundred dollars each; the salary of the president and associate law judges of the several courts of common pleas of this commonwealth, two thousand dollars each, except in the districts composed of the counties of Philadelphia and Allegheny; and two hundred dollars in addition to the salary herein provided to the president judge of the twelfth judicial district: *Provided*, That no greater sum than eighteen hundred dollars be paid to the president judge of the eleventh judicial district, exclusive of his compensation as recorder of the city of Carbondale.

Guaranty interest.

SECTION 20. For the payment of the guaranty of interest for the Danville and Pottsville railroad company, by the act of the eighth of April, one thousand eight hundred and thirty-four, eight thousand five hundred and seventeen dollars and seventeen cents, it being the interest in full on said guaranty up to the first day of August, eighteen hundred and fifty-six. To the Bald Eagle and Spring Creek navigation company, by the act of seventh April, one thousand eight hundred and thirty-five, ten thousand dollars; and for the payment of the guaranty of the Tioga navigation company, as provided by the sixth section of the act of sixth April, one thousand eight hundred and fifty, four thousand five hundred dollars.

Interest on state debt.

SECTION 21. For the payment of the interest on the funded debt of the commonwealth, that will fall due on the first days of July and August next and the first days of January and

ary, eighteen hundred and fifty-seven, the sum of two Temporary loan
ons of dollars, or so much thereof as may be necessary; authorized.
he state treasurer is hereby authorized, if it shall be necessary for the purpose of paying the interest of the funded debt
g due on the first day of August next, to negotiate a temporary loan for a sum not exceeding three hundred thousand
rs, on the same terms and conditions as was provided for
he second section of an act to provide for ordinary expenses of government, the repairs of the canals and railroads of
state, and the payment of other claims upon the common-
th, passed eleventh day of April, one thousand eight hun-
and forty-eight.

SECTION 22. For the ordinary repairs and improvements of Ordinary repairs.
canals and railroads belonging to the commonwealth, for the
ending the thirtieth day of November, one thousand eight

hundred and fifty-six, the sum of two hundred and seventy-nine
sand one hundred and eighty-seven dollars, in addition to
sum of two hundred and twenty-five thousand dollars ap-
propriated by the act of the seventh day of May, one thousand
t hundred and fifty-five; for ordinary repairs after the first
of December, one thousand eight hundred and fifty-five, to
ppropriated as follows, to wit:

or the Philadelphia and Columbia railroad, one hundred and
thousand two hundred and seventeen dollars, including
bridge over the Little Conestoga, filling up five spans of
Little Conestoga bridge, completing embankment of Big
estoga bridge, new bridge over Strickler's dam, and filling
two spans of the Downingtown bridge.

or the Allegheny Portage railroad, twenty-two thousand five
dred dollars.

or the Eastern division of the Pennsylvania canal, nineteen
ousand dollars.

or the Lower Juniata division, twelve thousand dollars.

or the Upper Juniata division, eighteen thousand dollars.

or the Upper Western division, nine thousand five hundred
lars.

or the Lower Western division, eight thousand dollars.

or the Delaware division, thirty thousand dollars, including
building Tohickon and Gallows Run aqueduct and repairing
els at New Hope.

or the construction of piers or cribs above the dam across
Lehigh river at Easton, two thousand dollars, pursuant to
recommendation of the canal commissioners.

or the Susquehanna division, eighteen thousand five hundred
lars.

or the West Branch division, seventeen thousand dollars,
luding eight thousand dollars of the unexpended appropria-
n for repairs for one thousand eight hundred and fifty-five,
ich is hereby re-appropriated for the repair of Queens Run
n.

For the Lower North Branch division, twenty-three thousand
r hundred and seventy dollars, including the re-building of
hing Creek aqueduct and for bridge near weigh-lock at Beach
ven, in Luzerne county: *Provided*, That the canal commis-
sioners think the same necessary.

SECTION 23. For ordinary repairs to be made after the first Ordinary repairs
y of December, one thousand eight hundred and fifty-six, two after December
ndred and twenty-five thousand dollars; no part whereof 1st, 1856.

shall be expended before the said first day of December, except so much of the same as may be necessary for the purchase and preparation of materials for executing repairs after that time.

Motive power.

SECTION 24. For the expenses of motive power for the year ending the thirtieth day of November, one thousand eight hundred and fifty-six, five hundred and thirty-three thousand three hundred and fifty dollars, in addition to the sum of one hundred thousand dollars appropriated by the act of the seventh day of May, one thousand eight hundred and fifty-five, to be appropriated as follows, to wit :

For the Philadelphia and Columbia railroad, including the purchase of eleven new locomotive engines, new machinery at Parkesburg and Columbia shops, and additions to depot at West Philadelphia, four hundred and twelve thousand eight hundred and fifty dollars.

For the Allegheny Portage railroad, including the purchase of two locomotive engines, one hundred and twenty thousand five hundred dollars.

Motive power after December 1, 1856.

SECTION 25. For motive power expenses from and after the first day of December, one thousand eight hundred and fifty-six, one hundred thousand dollars, to be appropriated as follows, to wit :

For the Philadelphia and Columbia railroad, eighty thousand dollars.

For the Allegheny Portage railroad, twenty thousand dollars.

Collectors, &c.

SECTION 26. For the payment of collectors, weigh-masters and inspectors, and for the incidental expenses of their offices, until the first of April, one thousand eight hundred and fifty-seven, fifty-three thousand dollars, and to pay deficiencies in appropriations for salaries of said officers, up to the first of April, one thousand eight hundred and fifty-six, sixteen thousand nine hundred dollars.

Lock keepers.

SECTION 27. For the pay of lock-keepers until the first of April, one thousand eight hundred and fifty-seven, fifty-three thousand two hundred and fourteen dollars.

Pennsylvania railroad company

SECTION 28. For the payment of the Pennsylvania railroad company for the use of a portion of their road, under an article of agreement dated the eighteenth day of March, one thousand eight hundred and fifty-four, twelve thousand five hundred dollars.

Canal commissioners and expenses of office.

SECTION 29. For the payment of the canal commissioners and the expenses attendant upon their office, six thousand four hundred and seven dollars, to be appropriated as follows, to wit :

Compensation of canal commissioners, four thousand three hundred and ninety-two dollars; salary of secretary of the board, one thousand dollars; extra clerk hire, two hundred dollars; pay of messenger, three hundred dollars; postage, two hundred and sixty-five dollars; stationery and advertising, one hundred and fifty dollars; cleaning, repairing of office and miscellaneous expenses, one hundred dollars.

Road and farm bridges.

SECTION 30. For the repairs and re-building of road and farm bridges on the several lines of canal and railroads, sixteen thousand dollars.

Motive power debts. 1855.

SECTION 31. For payment of debts contracted for motive power on the Allegheny Portage railroad during the fiscal year one thousand eight hundred and fifty-five, twenty-six thousand eight hundred and forty-four dollars and seventy-six cents.

For payment of debts contracted for repairs on the Allegheny Portage railroad during the fiscal year one thousand eight hundred and fifty-five, eight thousand two hundred and ninety-six dollars and eighty-three cents. Debts for repairs on Allegheny Portage railroad, 1855.

For the payment of debts contracted on the Upper Juniata division of the Pennsylvania canal during the fiscal year one thousand eight hundred and fifty-four, two thousand seven hundred and twenty-six dollars and thirty-one cents. Debts on Upper Juniata division of canal, 1854.

To pay debts contracted for repairs on the Eastern division of the Pennsylvania canal during the fiscal year one thousand eight hundred and fifty-four, two hundred and sixty-nine dollars and eighty-three cents. Debts on Eastern division of canal, 1854.

SECTION 32. For the repairs of any damages that may be done to any portion of the public works by breaches or fire, the sum of fifty thousand dollars: *Provided*, That before any part of the said sum shall be drawn from the state treasury, the canal commissioners shall certify to the state treasurer and auditor general the nature and extent of such damages, and the amount deemed necessary to be drawn from the treasury to meet the expenses for repairing such damages, and if the auditor general and state treasurer concur in opinion as to the necessity of making such repairs before the commencement of the next session, the amount required for such purpose, not exceeding the sum hereby appropriated, may be advanced to the proper disbursing officers. Extraordinary repairs, &c.

SECTION 33. For relaying the south track of the Columbia and Philadelphia railroad, the sum of one hundred and fifty thousand dollars. Columbia railroad.

SECTION 34. For paying the contractors on the new Allegheny Portage railroad, for work done during the year eighteen hundred and fifty-five, as per estimates returned by superintendent and engineer, one hundred and forty-five thousand four hundred and fifty-three dollars and sixty-six cents. Work on Portage railroad, 1855.

SECTION 35. For completing the new Portage railroad, the sum of thirty-two thousand one hundred and twenty dollars. Completing Portage railroad.

SECTION 36. For the Upper North Branch canal, to pay debts due and for repairs, passing water through and completion of said canal, eighty-seven thousand dollars, in addition to the sum of fourteen thousand dollars set apart for those purposes out of the appropriation for winter repairs, made by the act of the seventh of May, one thousand eight hundred and fifty-five, together with such sum as may be necessary to repair any damages to said canal by breaches or otherwise, which shall be paid out of the general breach fund. Upper North Branch canal.

SECTION 37. That the appropriations by this act made applicable for repairs and motive power expenses on the canals and railroads belonging to the commonwealth, and for the payment of debts on the several lines of the public works, may be paid by the state treasurer on the presentation of the required vouchers, and at such times after the passage of this act as the interest of the public service may require, keeping in view the different sections of the works. Appropriations how paid out by state treasurer.

SECTION 38. That for the purpose of enlarging the Delaware division of the Pennsylvania canal, the sum of fifty thousand dollars is hereby appropriated, to be applied, or so much thereof as may be necessary, for said work between Easton and New Hope on said division, under the direction of the canal commis- Enlargement of Delaware division.

Supervisor to disburse appropriation,

Commissioners: *Provided*, That the supervisor of the said Delaware division shall act as disbursing officer of the funds appropriated for the enlargement of said canal, for which he shall receive such compensation as the canal commissioners may think reasonable, and said commissioners shall require sufficient surety for the faithful application of such funds and duly accounting therefor.

State engineer may be appointed

SECTION 39. That the canal commissioners are hereby authorized to employ a state engineer of competent ability and skill in civil engineering, at a salary not exceeding three thousand dollars per annum, who shall, in addition to the other duties of his office, carefully examine all the canals and railroads belonging to the commonwealth before the meeting of the legislature in each year, and ascertain the amount of the appropriations necessary to be made for repairs for the ensuing year on the several divisions of the said improvements, except the North Branch extension from Pittston northward, and report the same to the canal commissioners, to be communicated to the legislature.

Salary and duties.

Contracting of debts prohibited

SECTION 40. That no superintendent, supervisor or other agent, having charge of any part of the public improvements belonging to the commonwealth, shall be allowed to contract debts in any one year beyond the appropriations for the division under his charge, without the consent in writing of the board of canal commissioners, who shall fix the amount thereof; and if any superintendent, supervisor or agent, as aforesaid, shall contract debts contrary to the provisions of this act, the canal commissioners are hereby required to remove from office the superintendent, supervisor or agent who may have contracted such debts; and the said superintendent, supervisor or agent, with their sureties, shall be jointly and severally liable, on the official bond of such superintendent, supervisor or agent, for the debts contracted contrary to the provisions of this act, to be sued for and recovered in the name of the commonwealth, and the amount recovered to be applied to the payment of such debts.

Duty of canal commissioners to remove for violation of this section

Repeal of act of 3d March, 1863.

SECTION 41. That so much of the act, entitled "An Act authorizing the Pennsylvania railroad company to run their cars over connecting and continuous railroads," approved the third day of March, one thousand eight hundred and fifty-three, as relates to carrying passengers and baggage and mails on the Philadelphia and Columbia railroad, be and the same is hereby repealed; and the canal commissioners are hereby authorized to contract with responsible persons or companies incorporated by any law of this commonwealth, for carrying passengers, their baggage and United States mails on the Philadelphia and Columbia railroad, for a period not exceeding five years from and after the expiration of the contract now existing between the canal commissioners and Bingham & Dock, on such terms and conditions as will best promote the interest of the commonwealth: *Provided*, That from and after the first day of May next, it shall not be lawful for the city of Philadelphia to charge and collect tolls on the city railroad, for any greater distance than that actually used, including the bridge over the Schuylkill river, at Market street.

Canal commissioners authorized to contract for carrying passengers, &c., over Columbia railroad.

SECTION 42. For the payment of the salaries of the officers of the Eastern penitentiary, eight thousand seven hundred dollars.

For the salaries of the officers of the Western penitentiary, nine thousand two hundred dollars: *Provided*, That the amount

of salaries to be paid to said officers shall be fixed by the respective boards of inspectors, and the said respective boards shall annually make report to the legislature of the number of officers employed by them, with their respective salaries: Also, to the Eastern penitentiary, eight hundred dollars, and to the Western penitentiary, two hundred and seventy-five dollars, for gratuities to discharged convicts during the year one thousand eight hundred and fifty-five, per act of the twenty-eighth day of April, one thousand eight hundred and twenty-nine.

Report to Legislature.

Gratuities to convicts.

SECTION 43. That the provision contained in the tenth section of the act of the twenty-third day of April, one thousand eight hundred and twenty-nine, which requires the inspectors of the Eastern penitentiary to transmit to the county commissioners, the accounts for maintaining convicts, on or before the first day of February in each year, be and the same is hereby repealed. And the said inspectors are hereby required to transmit the said accounts on or before the first day of March in each year.

Transmission of accounts by inspectors of Eastern penitentiary.

SECTION 44. For the house of refuge at Philadelphia, the sum of fifteen thousand dollars, being the payment in full of the amount appropriated by the act of the twenty-sixth of January, one thousand eight hundred and fifty-four, for building purposes; also, the further sum of fifteen thousand dollars, to be applied to the support of the institution.

House of refuge, Philadelphia.

For the house of refuge for Western Pennsylvania, in the county of Allegheny, fifteen thousand dollars.

House of refuge, Pittsburg.

For the Pennsylvania institution for the instruction of the blind, seventeen thousand dollars.

Blind.

For the instruction of indigent pupils in the Pennsylvania institution for the deaf and dumb, twenty thousand dollars: *Provided*, That the sums appropriated for the instruction of the blind and deaf and dumb, shall be paid to said institutions in proportion to the number of indigent pupils received by each from the several counties of this commonwealth, at the rates or each pupil as prescribed by law, evidence of the number of pupils to be furnished to the state treasurer.

Deaf and dumb.

SECTION 45. That the state treasurer is hereby authorized to pay to the treasurer of the Pennsylvania training school for idiotic and feeble-minded children, such amount as said institution may be entitled to receive under the provisions of the sixth section of the act incorporating said school, passed the seveneenth day of April, one thousand eight hundred and fifty-three.

Idiotic and feeble minded children

SECTION 46. For the payment of the adjutant general for visiting the arsenals of the commonwealth, as directed by the act of the seventh of April, one thousand eight hundred and twenty-two, entitled "An Act for the regulation of the militia of this commonwealth," two hundred and fifty dollars.

Adjutant general visiting arsenals.

SECTION 47. For the payment of the salary of the superintendent of public printing, eight hundred dollars.

Superintendent of printing.

SECTION 48. For the Pennsylvania state lunatic hospital, the sum of thirty thousand dollars, to be drawn by the trustees of said hospital and applied as follows: For the erection of works to supply the said institution with water and for the better protection of the buildings in case of fire; for the salaries of the officers and support of the hospital; for the repair of the buildings, heating apparatus, et cetera; for the improvement of the grounds and purchase of new furniture, to be accounted for in the usual manner.

State Lunatic hospital.

State library.

SECTION 49. For miscellaneous expenses of the state library, to wit: For white-washing, sweeping, scrubbing, making fire, freight on books, removing books, postage, stationery, traveling expenses for purchasing books, et cetera, two hundred and fifty dollars.

For binding and lettering books, two hundred and fifty dollars.

For purchasing law books one thousand dollars; miscellaneous books five hundred dollars.

For purchasing Pennsylvania state reports to be sent to other states, as exchanges, two hundred and fifty dollars.

For seventy-eight volumes of Harris's Pennsylvania State Reports, sent to other states, from which similar donations have been made to the state library, two hundred and seventy-three dollars.

Assistant librarian.

For paying the assistant in the library, the further sum of fifty dollars.

Repairs of capitol.

SECTION 50. For the preservation and repairs of the capitol and improvement of the public grounds, six hundred and fifty dollars, to be disbursed under the direction of the superintendent of public grounds and assent of the secretary of the commonwealth.

Repairs of state department.

For repairs or roofing of the state and treasury departments with permeated iron, eleven hundred and fifty dollars, to be expended under the direction of the secretary of the commonwealth.

Grading North street.

For grading North street for fence, from Third to Fourth street, two hundred and fifty dollars, to be expended under the direction of the superintendent of public buildings and grounds.

Iron fence on North street.

For continuing and completing the work of enclosing the public grounds with an iron fence, at a price not to exceed the first contract price, of like pattern and weight as the one now erected on the western front of the capitol, from the corner of Third street along North to Fourth street, three thousand dollars, to be disbursed under the direction of the auditor general and state treasurer.

Removing old fence, &c.

For removing fence materials on North street, including carting, one hundred and twenty-five dollars.

Pavement on Walnut street.

For sixteen thousand brick for pavement and gutters on Walnut street, one hundred and twenty-eight dollars.

Pavement on Third street.

For twenty-eight thousand five hundred brick for pavement and gutters on Third street, two hundred and twenty-eight dollars.

Laying same.

For laying pavement and gutters on Walnut street, and on Third street, from a point opposite Brady's to North street, two hundred and sixty-five dollars.

Enriching soil and securing slopes.

For enriching soil and securing the steep grades from Pine to Walnut street, and from Third to Fourth street, one hundred and sixty dollars.

Trees.

For purchasing and setting trees on the arsenal ground, three hundred dollars.

Removing board-walk.

For removing the board walk from Pine to State street, removing stone and grading the bank inside of the iron fence, one hundred dollars.

Citizens' engine.

For the Citizens' engine and hose company, one hundred and fifty dollars.

Outstanding accounts.

For the payment of outstanding accounts made under the direction of the superintendent of foot-ways and grading, eleven hundred and ten dollars and five cents.

That the sum of three hundred dollars, or so much thereof as may be necessary, be and is hereby appropriated to make inlets and sewer on State street. a connection with the State street sewer in front of the capitol, for the purpose of carrying off the surplus water from the public grounds which accumulates at that point, and that the money be disbursed under the direction of the superintendent of public grounds.

For pay of the superintendent and watchman of the public buildings and grounds, two dollars and fifty cents a day for and during the period of his appointment; the appropriations in this section not otherwise ordered to be disbursed, be expended under the direction of the auditor general and superintendent of the public grounds: *Provided*, That no debt shall be created for any of the improvements to the public buildings and grounds authorized by this act, beyond the sums specifically appropriated therefor. Pay of superintendent and watchman.

To Henry Peffer, superintendent of public grading and foot-walks, one hundred dollars. Henry Peffer.

For repairing flues for library and securing the building against fire, two hundred and fifty dollars. Flues in library.

SECTION 51. That the state treasurer is hereby authorized to pay Hopkins and Brown, for the publication of the Legislative Record, such sum as may be coming to them under their contract with the joint committee of the Senate and House of Representatives, dated seventh January, eighteen hundred and fifty-six, after deducting the sum of one thousand dollars appropriated at the present session, to be paid on the certificate of the committee on printing of the two houses, fixing the balance due on said contract. Legislative Record.

SECTION 52. That the state treasurer is hereby required to pay to John A. Smull, for services rendered the House of Representatives, the same compensation as that payable by law to a transcribing clerk; and to the clerk of each house, the amounts necessary to pay the pages thereof for their services at the present session, at the rate of one dollar per day each. John A. Smull. Pages.

SECTION 53. That the clerks of the Senate and House of Representatives be authorized to pay the women employed by them for cleansing the halls of the two houses, each twenty-five dollars in addition to the usual compensation. Washwomen.

SECTION 54. That the state treasurer is hereby authorized to pay the assistants of the sergeant-at-arms, messenger and door-keeper of the House of Representatives, now employed, from the commencement of the present session, at the rate fixed by the act of the seventh of May, one thousand eight hundred and fifty-five. Assistant officers of legislature.

SECTION 55. For the purpose of roofing and repairing the house attached to the powder magazine occupied by the superintendent thereof, in the First ward of the city of Philadelphia, the sum of three hundred dollars. Powder magazine, Philadelphia.

SECTION 56. For the Towanda bridge company, for the purpose of repairing their bridge and building a towing path attached to said bridge, for the use of the commonwealth, seven thousand five hundred dollars, to be paid by the state treasurer as the work progresses, upon estimates furnished by the superintendent of the North Branch canal; but no money shall be paid under this section, nor under the estimate of the said superintendent and the appropriation therefor, until the canal commissioners have entered into a written contract with said Towanda bridge company.

company, thereby securing full protection to this commonwealth in the use of said bridge and the maintenance thereof: *Provided*, That in case the canal commissioners deem the said bridge the best means of crossing the Towanda dam, then so much of said sum only shall be drawn from the treasury as the canal commissioners may decide to be the proper proportion which the state ought to pay towards the re-building of said bridge; but if they, on examination, should decide that the river could be crossed by other means, affording equal facilities to transportation, with more safety and at less cost to the commonwealth, then the said sum of seven thousand five hundred dollars, or so much thereof as may be required, is hereby appropriated to the construction of such crossing as may be decided upon by said canal commissioners.

James Rice and Francis M'Kinney.

SECTION 57. For the payment of rent to James Rice and Francis M'Kinney, for the store house in Philadelphia, occupied by the adjutant general for the storage of arms, munitions of war and other materials belonging to the state, the sum of four hundred dollars, due twenty-second June, eighteen hundred and fifty-six; and the adjutant general is hereby required to remove the property aforesaid to some of the arsenals belonging to the commonwealth, as soon as it can be done without prejudice to the public interest.

J. W. Kerr.

SECTION 58. For the payment in full of J. Wallace Kerr, late a transcribing clerk of the Senate, the sum of thirty-five dollars, for services rendered the Senate during the recess, under the direction of the late chief clerk.

Electoral college.

SECTION 59. To defray the expenses of the Electoral College, to convene at Harrisburg, the sum of one thousand dollars, or so much thereof as may be necessary.

Thomas J. Power.

SECTION 60. That the state treasurer be authorized to pay to Thomas J. Power, the sum of two hundred and fifty dollars, by the act of May, one thousand eight hundred and fifty-five, appropriated to compensate the adjutant general for visiting arsenals, the duties contemplated by said appropriation having been performed by said Thomas J. Power.

Portraits of governors.

SECTION 61. That the state librarian is hereby authorized to purchase of James K. Lambdin, a series of twenty-one portraits of the state and colonial governors of Pennsylvania, at a price not exceeding three thousand dollars, and upon delivery of the same in the library, the state treasurer is authorized and required to pay for the same out of any moneys in the treasury not otherwise appropriated.

Comparing journals and bills.

SECTION 62. That the chief clerks of each house be authorized to pay out of the contingent fund, for comparing the respective journals, at the usual rate of one dollar per sheet of sixteen pages; also, for indexing the bills, the sum of fifteen dollars for each house: *Provided*, That the late clerk of the Senate be allowed compensation at the same rate, for comparing the Senate journal of eighteen hundred and fifty-five, to be paid by the state treasurer.

Tonnage agents.

SECTION 63. That the sum of twenty-four hundred dollars be and is hereby appropriated to the payment of the salaries of tonnage agents, in full of their compensation to June twelfth, one thousand eight hundred and fifty-six.

Reduction of officers by canal commissioners.

SECTION 64. That the canal commissioners are hereby authorized to reduce the number of supervisors or superintendents of any division of the canals, railroads or other improvements of

the commonwealth, where they can be dispensed with, and to increase the pay of those who may be retained, to such an amount as may compensate them for their additional duties, and not to exceed three dollars a day, nor in the aggregate the amount now paid for said purpose on any line where said change may be made.

SECTION 65. That the state treasurer be and he is hereby authorized and required, in the settlement of the account of William P. Brady, to allow and pay him the same compensation that is allowed by law to a transcribing clerk; and to William M'Abbe, seventy-five dollars, for filing copies of the Legislative record, and for services to be performed after the adjournment.

Wm. P. Brady.

Wm. M'Abbe.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 586.

AN ACT

Supplementary to the act incorporating the Erie and North-East Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Erie and North-East railroad, as originally located and constructed, be and the same is hereby legalized and confirmed, and declared to be in full compliance with their act of incorporation, passed the twelfth day of April, one thousand eight hundred and forty-two, and the supplement thereto, any thing in the said acts, or omissions, to the contrary notwithstanding.

Original road legalized.

SECTION 2. That the said Erie and North-East railroad company shall make such change or changes in the Buffalo road, at Harbor Creek, between Miller's station and the saw mill built by Kane and others, as the road commissioners of Harbor Creek township may indicate, the said road commissioners being first requested to petition the court of quarter sessions of Erie county to appoint viewers, under the act of the thirteenth of June, one thousand eight hundred and thirty-six, entitled "An Act relating to highways and bridges," and the supplements thereto, to locate and open the said Buffalo road where they desire a change in the same, the value of the lands taken and the damages done to the same to be ascertained and determined under the said act.

Certain changes to be made.

and within a reasonable time after the right to do so is established, and the said commissioners have for that purpose put the said railroad company in possession of the lands upon which the said public road shall be built; all disputes, if any shall arise, growing out of the construction of said road, to be determined by the courts of Erie county, as in other cases.

Connections.

SECTION 3. That the said Erie and North-East railroad company shall make the same or equal connections, and afford equal facilities to the Sunbury and Erie railroad for the convenience of trade and travel as it makes with and affords to any other railroad.

Branch to be made to harbor.

SECTION 4. That the Erie and North-East railroad company shall, within six months after the passage of this act, construct a branch road, equal in all respects to the main line of their road, except in grades and curvature, to the harbor of Erie, at the depot grounds of the Sunbury and Erie railroad, either by an independent road, or in connection with any other road having the same terminus; and within three months after the passage of this act subscribe to the Pittsburgh and Erie railroad company four hundred thousand dollars, to be paid, at the discretion of the Erie and North-East railroad company, in cash or in the coupon bonds of the said Erie and North-East railroad company, bearing an interest of seven per centum per annum; or instead of such subscription, to locate by such route as they may deem most practicable, and commence the construction of such portion of the main line of the Pittsburgh and Erie railroad, between the harbor of Erie and the coal-fields of Mercer county, as shall cost not less than four hundred thousand dollars, and complete the same within two years thereafter: *Provided*, The said four hundred thousand dollars shall be expended between the coal-fields of Mercer county and the line of the Lake Shore railroad; and should the Erie and North-East railroad company elect not to subscribe to the stock of the Pittsburgh and Erie railroad company, but to construct a part of the road of said company, as contemplated by this act, the Pittsburgh and Erie railroad company may transfer to the said Erie and North-East railroad company all the rights and privileges of the Pittsburgh and Erie railroad over that portion of the road so to be constructed; and should the Pittsburgh and Erie railroad company refuse or neglect to make such transfer within three months, then and in that case the Erie and North-East railroad company shall have all the rights, privileges and franchises over that portion of the road so to be constructed by any route between the aforesaid points that said company may deem most advisable, that are now vested in the Pittsburgh and Erie railroad company. The governor shall retain possession of the Erie and North-East railroad under the act of the sixth day of October, one thousand eight hundred and fifty-five, until the provisions of this act shall have been accepted by a vote of the stockholders of the Erie and North-East railroad company, called for that purpose. And for the purposes above mentioned, to construct a double track and for other purposes, the Erie and North-East railroad company is hereby authorized to issue not to exceed five hundred thousand dollars of coupon bonds, in amounts of not less than one hundred dollars each, bearing seven per centum interest, payable at such times and places as the said company may determine; and the directors may, if they deem it advisable, mortgage the said railroad and its appurtenances to secure the

Subscription to Pittsburgh and Erie railroad.

May make part of Pittsburgh and Erie railroad.

Governor to retain possession until this act is accepted.

May issue bonds.

payment of the same. And any right of way or materials necessary to carry out this act shall be acquired under the provisions of the act of the nineteenth of February, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies." The legislature hereby reserve the right, in case the company misuse or abuse any of its privileges, to alter, amend or annul the charter hereby restored, as well as all privileges hereby conferred, whenever the public interest may require the same, in such manner, however, as to do no injustice to the corporators. And all acts or parts of acts hereby altered and supplied, or in any way inconsistent herewith, be and the same are hereby repealed.

Right of way, &c.

Reservation.

Repeal.

SECTION 6. That all suits now pending, or hereafter to be brought, by or against the said company, shall be tried in the county where the said railroad is located, as in case of individuals suing or being sued.

Trial of suits.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 587.

A FURTHER SUPPLEMENT

To the act consolidating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That after the term of the present marshal of police shall expire by limitation or death, the office shall cease and all the powers in him vested not subordinate to the mayor, shall thereupon become vested in the mayor, and all his duties subordinate to the mayor shall be performed by a chief of police, to be appointed by the mayor, with the approval of the select council, subject to be dismissed by him, who shall receive such salary and perform such further duties as may be prescribed by ordinance. The mayor shall not hereafter sit as a committing magistrate, but as the executive head of the city and its police, may issue warrants and cause arrests to be made, in accordance with law, returnable before any police magistrate.

Office of marshal of police to cease.

Duty of chief of police.

Mayor not to act as committing magistrate.

SECTION 2. That the inspectors of the county prison shall be appointed, five by the supreme court of Pennsylvania, three by the district court of the county of Philadelphia, and three by the court of common pleas of said county, who shall enter upon duty on the first Monday of July next, to serve for one year,

Appointment of inspectors of county prison.

and annually thereafter the vacancies in said board shall be filled as aforesaid; they shall neither be members of the bar, nor officers or clerks of, or under any of said courts.

Tickets at municipal elections.

SECTION 3. That at all municipal elections hereafter to be held in the city of Philadelphia, all officers to be voted for by the qualified voters of the said city, shall be voted on one ticket and be headed "city officers," and that all officers to be voted for by the qualified voters of each ward, shall be voted on one ticket, and be headed "ward officers," and that all officers to be voted for by the qualified voters of each election division of said ward, shall be voted on one ticket and be headed "division officers."

Opening of streets and damages therefor, how ascertained and paid.

SECTION 4. That the city commissioners shall disburse no moneys, nor make any contracts for public works or highways, nor take any part in the opening of streets, or the assessment of the damages therefor, but notice of the meetings of all viewers to lay out, open, or vacate any street or highway, or assess damages therefor, shall be served at the law department of the city, and the solicitor or assistant shall represent and protect the interests of the city in relation to all road matters, and countersign every order granted by the court of quarter sessions, for the payment of road damages, and keep a register of all damages confirmed by the court, and of orders countersigned, which shall not be countersigned or paid until an appropriation therefor be made by councils.

Fees of jurors and witnesses, how ascertained and paid.

SECTION 5. That the city commissioners shall draw no warrants upon the city treasury, for the payment of the fees of jurors, viewers, witnesses, or officers of the courts, without a certificate of the prothonotary or clerk of the court, countersigned by one of the judges of the court in which the duty or service was performed, that the same is correct to the best of his belief, nor shall any warrant be drawn for jury or witness fees, in favor of any person but the juror or witness entitled to such fees.

When assessment books to be furnished assessors.

Returns.

Duty of assessors.

SECTION 6. That the books for assessments shall be furnished to the assessors by the fifteenth day of May in each year, from the said department, and any assessor who shall not have completed and returned his assessments by the fifteenth day of August following, shall forfeit his compensation and surrender his books, to be finished by the board of revision. It shall be the duty of the assessors to mark opposite every property used for agricultural purposes, the word "rural," and on every property so returned there shall be assessed or collected but two-thirds the rate for city tax that shall be assessed on other real estate in the city: *Provided*, That any error in such return in this respect, shall be corrected by the board of revision or appeal. The assessors of each ward shall make out an alphabetical list, with the names, occupations and residences of all the taxables of each division of the ward to be returned to the city commissioners, with the assessment-book to be used for election purposes, for which they shall receive four dollars for each division book.

Meeting, powers and duties of county board of revision.

SECTION 7. That the county board of revision shall commence the discharge of its duties on the first Monday of September in each year, taking into consideration each assessment, and shall complete the same within six weeks, and the county board of appeals shall commence the hearing of appeals on the third Monday of October, and proceed to hear the tax payers of

in several wards in succession, until the same be closed, not exceeding six weeks: *Provided*, That no change shall be made in the valuations of real estate, in other than the triennial year, except in case of destruction by fire or flood, or of improvements made, and that only by a majority of the board. The city commissioners, or head of the department, shall make the return required by law to the state treasurer for the board of revenue commissioners, by the first Monday of February of the year when such revenue commissioners shall meet, after all allowances shall have been made on the appeals.

Return to state treasurer.

SECTION 8. That the receiver of taxes shall, on the first Mondays of October, November and December, give a general notice to all tax-payers three times in three newspapers, to pay the taxes then due; and that if not paid before the first day of the following January, interest will thereafter be charged thereon, and that the names of all delinquent tax-payers will then be published according to law, and the names of the delinquent tax-payers, when published, shall be alphabetically arranged for the several wards.

Duty of receiver of taxes.

SECTION 9. That the receiver of taxes of the city of Philadelphia shall collect, and hereafter daily pay into the city treasury, all state taxes by him collected. The city of Philadelphia shall pay over all state taxes collected, and paid into the city treasury before the twenty-fifth day of July in each year, and receive therefor the five per cent. allowed by law, and one per cent. for the commission of collection, but no allowance for the same until the uncollected state tax, unless the city shall advance the same by the said date, in which case the city may borrow the amount of such residue of the current year's state tax: *Provided*, That the loans therefor be all payable within the year, and that the whole of the state taxes for the year for which they accrued, shall be paid into the state treasury by the twenty-fifth of January next thereafter. The city shall allow to tax-payers for the state tax five per cent. on all sums paid before the twenty-fifth of July of the year when due, and nothing if paid thereafter.

Receiver to make daily payments of taxes collected.

Allowance.

Payment of state tax

Abatement.

SECTION 10. That in all cases of registered taxes, municipal claims, assessments for removing nuisances, or other charge by the city assessed on real estate, the advertising required before suit brought shall be in two papers once a week for six weeks, with such brevity of description as that the charge therefor shall not exceed one dollar and fifty cents for each name, and no sales shall take place for any such claims, taxes or assessments, except on the second Mondays of May and November.

Notice to be given before suit for taxes.

SECTION 11. That all sales for registered taxes, municipal claims, assessments for removing nuisances, or other charge by the city assessed on real estate, shall be subject to redemption by the owner at any time within two years from the date of the acknowledgment of the sheriff's deed therefor, upon payment of all costs and charges, and twenty per cent. upon the amount for which the property had sold; and any person entitled so to redeem, may present a petition to the court from which the process to make sale had issued, setting forth the facts and his readiness to pay the redemption money as aforesaid; whereupon the court shall grant a rule to show cause why the purchaser shall not re-convey to him the premises sold, to be served as a summons in actions of partition; and if the petitioner shall prove the facts to give him a right to redeem, the court shall make such rule absolute, and enforce it by attachment.

Right of redemption to owners of property sold.

Cleaning of docks. SECTION 12. That it shall be lawful for the councils of said city to provide, by ordinance, for the cleaning of the docks on the Delaware and Schuylkill front of said city, and to require the owners of wharves and piers, which surround such docks, to cleanse the same; and after thirty days' default from the service of notice on them to perform said duty, it shall be lawful for the city to do said work, and to apportion the expenses thereof among the owners of the wharves and piers adjoining, in proportion to the extent of their wharves having the privilege or use of such docks, and to collect the same by filing liens therefor and process thereupon, as in case of claims for paving: *Provided*, That no dock shall be cleansed to a greater depth than the natural bed of the river.

Chief engineer and surveyor how elected. SECTION 13. Whenever a vacancy by limitation or otherwise shall occur in the office of president of the board of surveyors, the chief engineer and surveyor to fill that office, shall be elected by the councils of said city, by viva voce vote, in joint meeting, to serve for five years. The said chief engineer and surveyor

Qualifications.

shall be a citizen who shall have had five years' previous practical experience as a civil engineer, and be sworn or affirmed before the mayor to the truth thereof, and that he will perform his duties with fidelity, and file the certificate thereof in the law department. He shall be president of and a member of the board of surveyors, and as the head of the department of surveys, perform all the duties imposed on him by law or ordinance. Each district surveyor shall have had three years' experience in the business of regulating and surveying after having completed his apprenticeship and become of lawful age, and make oath or affirmation of such fact, and to perform his duties with fidelity, and file his certificate as aforesaid.

District surveyor.

Councils to provide for regulation of survey department.

SECTION 13. That it shall be lawful, and is hereby made the duty of councils, by ordinance, to regulate the survey department, to take security from and prescribe the duties of the district surveyors, the books and records they shall keep, and returns they shall make to the board of surveys; also, what records and surveys shall be deposited in the office of the board of surveys, and prescribe the duties, powers and services to be performed by the chief engineer and surveyor, and each member of said board of surveys, and establish all needful regulations for said board of surveys and district surveyors, and their offices and records, and as to the use thereof by the citizens.

Removal of surveyors and regulators.

SECTION 14. That should any district surveyor and regulator refuse to comply with any of the regulations and directions of the department of surveys, or prove to be unskillful and incompetent to the performance of his duties, a majority of said board of survey may, on the representation of at least six citizens, examine into the charge made against such surveyor; and if they find just cause, may petition the court of quarter sessions of the county of Philadelphia for his removal; and if said court shall be satisfied of the truth of the allegation of the petition, such surveyor and regulator shall be dismissed, and another surveyor and regulator, on the recommendation of such board of surveys, shall be appointed by the court to hold the appointment, and perform all the duties of the office until the next municipal election.

Vacancies.

Boundaries of first survey district.

SECTION 15. That hereafter the first survey district shall be composed of all that part of the city west of Passyunk road,

and Broad street east of the river Schuylkill, and south by South street.

SECTION 16. That so much of City avenue, between the city of Philadelphia and Montgomery county, as was surveyed by the commissioners, without covering the old road between the east Branch of Indian creek, and property of Thomas Bealer, be of the same validity as if authorized by the act under which the same was surveyed, and said avenue is hereby widened to eighty feet, taking an equal quantity of ground on each side of said road as so surveyed for future foot-ways: *Provided*, That such widening shall not take place by an actual taking of the ground therefor before fifteen years from the date hereof, without the consent of the owners.

SECTION 17. That whenever councils shall order any street upon the plan of said city to be opened or widened, no damages therefor shall be paid unless first assessed by a jury and approved by the court of quarter sessions, in accordance with the general road laws of the commonwealth: *Provided*, That councils may in all cases, whether the proceedings to open any street shall have been commenced in councils or in the ordinary course before the court, refuse to appropriate for the opening of any street, until the owners or citizens to be benefited shall have contributed the whole or any part thereof, as councils may have determined to be just, and in such case such street shall not be actually opened, nor any security which may have been taken for the damages be responsible therefor.

SECTION 18. That the chief engineer and surveyor of the city of Philadelphia be and he is hereby authorized and directed to revise and change the grades of the streets laid out in the twenty-fourth ward of said city north of Market street, the Lancaster turnpike, and south of Bridge street, and east of late Sixth, now Thirty-fifth street, so as to conform in as great a degree as he shall deem advisable, to the natural grade or surface of the ground; the said revised survey shall be confirmed by the board of survey, and be approved by the court of quarter sessions, in the manner now provided by law: *Provided*, That no alteration shall be made in the grades of Market street, Lancaster turnpike, Bridge street, and Sixth street, now Twenty-fourth street, as aforesaid; and the commissioners for the survey of the plan of Blockley shall proceed to cause the same to be completed and approved by the court, in manner provided by law before said township was embraced in the city of Philadelphia.

SECTION 19. That it shall be the duty of the prothonotaries of the several courts of the said city, on the expiration of each term of their respective courts, to furnish to the controller a statement, under oath or affirmation, of the fines and penalties imposed, recognizances recovered, judgment and jury fees received, and arbitrators' and witness fees unclaimed by the parties entitled to the same, with the name of the case in which the same were imposed, recovered, or received; and it shall be the duty of the sheriff of the county of Philadelphia to submit his account with the city to the controller, for settlement, on the first day of January, and quarterly thereafter, and upon such settlement the sheriff shall be charged with all sums received and recovered as aforesaid, and he shall forthwith pay over the balance, if any, to the city treasurer, and any officer neglecting or refusing to comply with the provisions of this

City avenue widened.

Payment of damages for opening or widening streets.

Resurvey of the grade of the streets in Twenty-fourth ward authorized.

Duty of prothonotaries in regard to fines, &c.

Duty of sheriff.

Penalty for neglect.

Duty of aldermen
in relation to
fines, &c., receiv-
ed by them.

Penalty.

Duty of controller
and treasurer.

Reports by heads
of departments of
estimated expen-
ses.

Penalty for ne-
glect in rendering
accounts, &c.

Expenditures for
eating, drinking,
&c., prohibited.

Warrants to set
forth what they
were issued for.

section, shall be deemed guilty of a misdemeanor in office, and be proceeded against in like manner as for other misdemeanors.

SECTION 20. That in lieu of the report now required to be made to the city treasurer, the aldermen of the said city shall on the first of every month, submit to the controller a statement, under oath, of all fines, penalties, costs, and sum or sums of money whatever, received by them and payable to the said city, and shall forthwith pay over to the city treasurer the amount certified by the controller to be in their hands and payable, and for this purpose the controller may require the production of their books and dockets; and no warrant for payment of the salary of any alderman as police magistrate, shall be countersigned by the controller, unless the receipt of the city treasurer for the moneys so certified to be due by him for the period for which said salary is payable, shall be first produced and exhibited, and any alderman failing to comply with the provisions of this section, shall be punishable in the manner provided in the preceding section.

SECTION 21. That it shall be the duty of the controller and treasurer of the city, within the first five days of each month, to report to the city solicitor every person who has been delinquent in rendering his account, or making payment of any moneys, fines, or costs, payable to the city treasurer, and of the city solicitor forthwith to proceed to make collection of the same, and otherwise to enforce the law against the delinquent.

SECTION 22. That the head of every department shall by the first of November of each year, report to the controller the estimate of the appropriations that will be required for his department for the ensuing year, and of said controller to communicate at all times to the mayor and the committees of councils such information upon the condition of the finances and the accounts of all officers expending or receiving the moneys of the city as his department can afford.

SECTION 23. That every head of department, officer or agent of the city, who shall have made default in the rendering of any account or report, or the payment over of any moneys or bills collected for the city, shall be guilty of a misdemeanor and be by councils dismissed from his office, and the vacancy shall be filled as provided by law.

SECTION 24. That it shall not be lawful for any department or committee of said city, or the officers thereof, or for the prison inspectors, to draw any moneys out of the city treasury or to use any savings or the proceeds of the sales of any work or materials for or in any office, department or prison, or any revenues whatsoever thereof for any entertainment, eating, drinking or smoking furnished to any members or officers of said city, corporation, departments or offices thereof or of said prison, but shall pay the whole of said moneys into the city treasury; and every warrant drawn for the expenses of every department of the public service and prison, shall contain the declaration that no part thereof has been used for said purposes; and it shall be lawful for the city controller, and his duty, whenever required by any citizen, to administer an oath or affirmation to any person presenting a bill against the city, as to its accuracy, the prices actually paid or contracted to be paid therefor, whether others and who are interested therein, and as to whatsoever matter he may deem needful to protect the interests of said city.

SECTION 25. That the corporation of the city of Philadelphia Sale of certain lot authorized to sell and convey in fee simple, discharged of all taxes, the lot, containing about two acres, used for the interment of deceased strangers, on the north-west side of George street, now intersected by Poplar and Twentieth streets, conveyed to the city by John Brown Francis.

SECTION 26. That hereafter all goods, merchandize and other articles of any kind, and labor and service required for the city of Philadelphia, in any department thereof, shall be purchased by contract for only in such manner as shall be prescribed by ordinance; and for that purpose the councils of said city are hereby required to direct by ordinance the manner and time of making the yearly estimates by the several departments of said city, and of receiving sealed proposals for such supplies as aforesaid, which proposals shall be preceded by advertisement, and a contract shall be awarded to any but the lowest bidder, who shall give the requisite security therefor. Goods, merchandize, &c., for use of city to be supplied by contract given to the lowest bidder.

SECTION 27. That hereafter it shall not be lawful for any police officer of the city of Philadelphia to perform any service in civil suits. Prohibition on police officers

SECTION 28. That no person shall be eligible as a controller of the public schools in the first school district of this commonwealth, unless he shall have the qualifications to serve as a member of the state Senate. Qualification for controller of schools.

SECTION 29. That the city controller shall be and is hereby required to keep separate accounts for each specific or separate item of appropriation made by city councils to each and every department of the city, and shall require all warrants to state particularly against which of said items the said warrant is drawn; and he shall at no time permit any one of the items of appropriation to be overdrawn or the appropriation for one item expenses to be drawn upon for any other purpose by any one of the departments than that for which the appropriation is specifically made; he shall upon receiving a bill or warrant from any one of the departments proceed immediately to examine the same, and if the said bill or warrants contain an item for which an appropriation has been made, or the appropriation for which is exhausted, or to which from any other cause he cannot give approval, it shall be his duty immediately to inform such department, and the warrant therefor shall not be issued unless by special authority from the city councils. City controller to keep separate accounts of appropriations

SECTION 30. That it shall be the duty of the city councils, in all cases, when making appropriations, to state the items of expenditure under separate and distinct heads for which such appropriations are intended. And examine warrants.

SECTION 31. That the place for holding all elections in the city of Philadelphia, may be changed in accordance with the provisions of the fifty-sixth section of the act, entitled "An Act relating to the elections of this Commonwealth," passed the second day of July, one thousand eight hundred and thirty-one. Appropriations to be made and disbursed separately

RICHARDSON L. WRIGHT, Places of holding elections may be changed:

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.*

No. 588.

AN ACT

Relative to Libels.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, on the trial of indictments for writing or publishing a libel, the truth of the matter charged as libellous may be given in evidence; and if the jury, in any such case, shall find that the same was written or published from good motives and for justifiable ends, and that the matter so charged was true, it shall operate to the acquittal of the defendant or defendants.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 589.

AN ACT

Authorizing the citizens of the borough of Mercer to erect a Union School House in said borough.

Mercer school
district establish-
ed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that territory lying within the following bounds, viz: beginning at the Neshanock creek on the north boundary of donation lot number five hundred and forty; thence by said boundary to the north-east corner of said tract; thence southwardly by the east boundary of said tract to the south-east corner thereof; thence westwardly by the south boundary of the same tract to the north-east corner of donation lot number five hundred and forty-six; thence southwardly by the east boundary of donation lot number five hundred and forty-six to the south-east corner thereof; thence westwardly by the south boundaries of that tract and lots numbers five hundred and forty-nine, five hundred and seventy-four and five hundred and seventy-seven to the south-west corner of donation lot number five hundred and seventy-seven; thence northwardly by the west boundary of

aid lot and lot number five hundred and seventy-six and the two tracts next north of it to the south boundary of a tract warranted in the name of Michael Lodeen; thence by the south and west boundary of said last mentioned tract to its north-east corner; thence east by the tract line to Otter creek; thence down Otter creek to the north line of a tract of land warranted in the name of John Joes, called the Saw Mill tract; thence by the lines of said tract so as to embrace it to the north-east corner of donation lot number five hundred and forty, and thence by the north line of that tract west to the beginning, shall hereafter form a new school district and be known by the name of the Mercer school district, which said district shall possess all the rights and privileges and be subject to all the restrictions contained in the school laws of this commonwealth, except so far as the same is modified by this act.

SECTION 2. That the property, real and personal, of the Mercer academy and of the common school districts, as existing within the limits of the said new district and of the Mercer female institute, be converted into money to the best advantage and appropriated to the erection of a suitable building for a Union school, and that Joseph Kerr, Samuel Geibner and William M. Stephenson be commissioners to sell and convey said property for said purpose, and to take charge of the moneys or securities or moneys, and all funds belonging to said academy, common school and female institute, and appropriate the same to the purpose aforesaid.

Erection of a union school building authorized.

Commissioners to sell and build.

SECTION 3. That the said commissioners or a majority of them shall have power, and it shall be their duty to select a site for said Union school house, and purchase and hold for the use of the same a lot of ground within the borough of Mercer, which they shall deem most eligible, and to contract for the erection of said house and superintend the same until completed, when they shall deliver it up to the care and management of the school directors of said district.

Their powers.

SECTION 4. That the said commissioners shall on or before the first Monday in May next, after the passage of this act, levy such an amount of tax in said district as they shall deem expedient in aid of the other means to be applied to the erection of said house, not exceeding five mills on the dollar of the last adjusted valuation of proper subjects and things made taxable in the same for school purposes, which taxes it shall be the duty of the said commissioners to collect in the same manner and within the same time as taxes for school purposes are now collectable.

Tax to be levied and collected.

SECTION 5. That the said commissioners shall appoint one of their number the treasurer of the board, who shall be required to give bond to the commonwealth with at least two sufficient sureties in double the amount of the probable sum that may come into his hands, to be determined by the other two commissioners, conditioned for the safe keeping and proper application of all moneys that may come into his hands or power under this act; and it shall be his duty to receive and disburse on the order of the said commissioners, all the moneys that may come under the control of said commissioners under this act, said bond to remain for the use of the said district.

Treasurer.

Bond.

SECTION 6. That the said commissioners are hereby authorized to borrow a sum of money not exceeding five thousand dollars, for the purpose of aiding the other funds herein provided for

May borrow money.

the erection of said house and purchasing a lot; and it shall and may be lawful for said commissioners to secure the money so borrowed by bond of said commissioners and mortgage upon the real estate of said district or otherwise, as said commissioners may deem proper.

SECTION 7. That when said house shall be completed, the said commissioners shall deliver the same to the board of directors of the said district, whose duty it shall be to maintain and support, at least ten months in each year, a school for the education of all the youth in said district from five to twenty-one years of age, in the branches of a complete English and classical education; but all students pursuing classical studies may be required to pay the prices usual for such branches in academies or private schools, also for those branches denominated ornamental, such as painting and drawing and instrumental music; foreign modern languages may also be taught in said school, but to be considered extra and to be paid for by the persons receiving instruction in them.

SECTION 8. That the female department in the higher branches shall be under the separate superintendence of a competent female principal, and shall be subject to the visitation and control of the executive committee of the Mercer female institute as now organized; the said principal to be appointed and her salary fixed by said committee, her salary not to exceed the sum that would be derived from the proceeds of tuition if all the scholars in her department were charged at present rates in said seminary.

SECTION 9. That after the said commissioners shall have completed the building aforesaid, they shall submit a statement of their receipts and expenditures to the county auditors, to be audited and published by them at the time of auditing and publishing the accounts of the county treasurer, and such reasonable allowance as shall be approved by the court of quarter sessions, shall be retained by said commissioners for their necessary expenses and services.

SECTION 10. That the said commissioners are hereby authorized and empowered, by and with the advice and consent of the county commissioners, to use so much of the public square in the borough of Mercer as may be necessary for the erection and use of the house, for the purposes of said school: *Provided*, That the erection and use of said house made in such manner as not to interfere with the free and convenient use of the court house and other public buildings.

SECTION 11. That it shall and may be lawful for the school directors of the borough of Mercer, and the directors of the adjoining districts lying between the east boundary of the borough of Mercer and Neshanock creek, now existing within the limits of the district erected by this act, to discontinue the schools in the said two districts during the school year commencing on the first Monday of June, Anno Domini one thousand eight hundred and fifty-six, or in their discretion, as shall be in accordance with the wishes and interests of the citizens.

SECTION 12. That the parts of other districts enclosed within the limits of the districts erected by this act, shall continue in the respective districts of which they are parts for school purposes, until the first election of directors under this act.

SECTION 13. That the act incorporating the Mercer academy, and all supplements thereto, are hereby repealed: *Provided*

House when completed to be delivered to school directors.

Their duties.

Admission.

Charges.

Female department.

Statement of receipts and expenditures.

Location of building.

Schools may be discontinued.

Regulations until first election.

Repeal.

however, That the repeal is not to take effect until the business of said corporation has been fairly closed, and its property placed in the hands of the board of the commissioners mentioned in this act, and said commissioners shall have power to fill, by appointment, any vacancy that may occur in their board.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 590.

AN ACT

To provide for the settlement of a certain Trust in the case of Benjamin Bond, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward D. Martin, the present trustee under a certain deed of trust, bearing date the seventeenth day of January, one thousand eight hundred and thirty-two, between Benjamin Bond, late of the Northern Liberties, now of the city of Philadelphia, of the first part, and Edward D. Martin, of the same place, of the other part, be and he is hereby directed and required to re-convey and deliver to the said Benjamin Bond, his heirs and assigns, the property, money and estate conveyed to and received by him under and by virtue of the said deed of trust or otherwise, belonging to the said Benjamin Bond; and the said property, money and estate shall, from and after the passage of this act, revert to and become re-invested in the said Benjamin Bond, to all intents and purposes, subject, nevertheless, to all liens and incumbrances thereupon, and to all rights, title and interest therein vested, in any other person or persons in law or equity.

Former trustee directed to re-convey trust account.

Estate again invested in Benjamin Bond.

SECTION 2. That it shall be the duty of the said Edward D. Martin, trustee as aforesaid, to file in the court of common pleas of the said city of Philadelphia, a full and accurate account, under oath or affirmation, of all moneys or other property received by him as trustee as aforesaid, and of his management of the said money and property not already filed; and the said court shall have full power and authority to cite the said parties to appear before them, and to require them to answer, under oath or affirmation in writing, all such interrogatories as shall be put to them touching said trust; and generally to make all

Trustee to file account of trust under oath.

Court authorized to cite parties to answer and make orders and decrees.

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such orders and decrees in the premises as justice and equity may require for the hearing and final settlement of said trust.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK

RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND FIFTY SIX.

No. 1.

RESOLUTION

Relative to the purchase of certain Books for the Legislature.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of the Senate and House be authorized to procure a copy of Purdon's Digest, Sutherland's Legislative Manual, and railroad map of this commonwealth and adjoining states, for each member and the chief and assistant clerks of the respective houses; and the clerk of the Senate is further authorized to purchase eight hundred copies of a diagram of the Senate chamber, at a price not exceeding eight dollars per hundred; he accounts for the purchase of said books, maps and diagrams, and of diagrams heretofore ordered by the House of Representatives, to be settled and paid in the usual manner.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fifteenth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 2.

RESOLUTION

Of thanks to Dr. Kane, his officers and crew, for the successful result of the recent expedition to the Polar regions.

WHEREAS, Doctor Elisha Kent Kane, a citizen of the state of Pennsylvania, by his explorations and discoveries in the Arctic regions, and by the energy, intrepidity, perseverance and other qualities exhibited by him in conducting the recent expedition under his command, has not only made valuable additions to

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human knowledge, but has attested the benevolence which prompted and the skill which guided said expedition, in such manner as to call forth official acknowledgments and honorable mention from foreign governments; therefore, be it

Resolved, That the Senate and House of Representatives of the commonwealth of Pennsylvania do also recognize the services rendered by said expedition, and the gallant conduct displayed in its management, and do hereby tender their thanks to Dr. Kane and to the officers and crew under his command.

Resolved, That we concur with the secretary of the navy, commending the results of these explorations as worthy the attention and patronage of government; and further, that the governor be requested to transmit a copy of these resolutions to Dr. Kane and to each of the officers who served in said expedition, and to the Senate and House of Representatives of the United States.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 3.

RESOLUTION

Relative to the supply of double tubed Gas Burners.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the sum of ninety-six dollars be and the same is hereby appropriated for the purpose of furnishing double tubed gas burners for the public buildings.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 4.

RESOLUTION

Providing for the appointment of additional officers of the Legislature.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the door-keeper of the house be and he is hereby authorized to appoint three additional assistant door-keepers, and the sergeant-at-arms of the house one additional assistant sergeant-at-arms, during the present session; and that the principal clerk of each house may, with the assent of the speaker thereof, appoint the additional transcribing clerk authorized by the act of the last session, to serve from the first day of March.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The thirty-first day of January Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 5.

RESOLUTION

authorizing the State Treasurer to pay certain witnesses attending before the Committee appointed on the matter of the contested election of John C. M'Ghee.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and is hereby enacted by the authority of the same, That the state treasurer be and he is hereby directed to pay the witnesses regularly subpoenaed and in attendance before the committee appointed in pursuance of the petition contesting the right of John C. M'Ghee to a seat in the House of Representatives: *Provided,* That the per diem and mileage of said witnesses shall be taxed and allowed by the committee: *And provided also,* That the state treasurer charge and collect the amount from the county obliged to pay it by the existing laws,

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 6.

RESOLUTION

For the payment of certain moneys to Hopkins and Brown upon the publication of the Daily Legislative Record.

Resolved by the Senate and House of Representatives in General Assembly met, That the state treasurer be and he is hereby authorized to pay to Hopkins and Brown, publishers of the Daily Legislative Record, the sum of one thousand dollars, in part payment of what may be found due them upon the completion of their contract.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 7.

RESOLUTION

Requesting our Senators and Representatives in Congress to urge Appropriations to complete the Works of Defence on the Delaware.

WHEREAS, Whatever progress there has been made in the modern art of war, it appears that all the belligerents engaged in the present struggle now convulsing Europe, pay full and equal tribute to the value and importance of fortifications, especially as regards the power of resistance to attack by water, of those works intended to protect harbors, or to oppose the passage of ships. Now, as the people of the United States can have no serious contest with any other than a maritime power, the speedy completion of a suitable and proper system of seaboard defences is one of the most imperative duties which devolve upon the Federal Government. In the present unsettled state of the world, the people of Pennsylvania cannot but regard with real anxiety, the exposed position of Philadelphia, their principal city and commercial emporium; they consequently feel the deepest solicitude about every step to be taken for its protection, and watch with the liveliest interest the progress of the works intended for the defence of the Delaware river. Be it, therefore,

Resolved by the Senate and House of Representatives of Pennsylvania, That our senators and our representatives in congress be requested to urge and advocate in every proper manner, the pas-

ge by congress of such acts as will appropriate ample sums for the completion of Fort Delaware, on the Pea Patch island, and the construction and armament of all such additional batteries as may be needed to give that concentrated and combined fire on the channels of the river, which would render their passage impracticable to an enemy's fleet.

Resolved, That the governor be authorized and requested to transmit certified copies of the foregoing resolution to each of the senators and representatives in congress.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 8.

RESOLUTION

Providing for the payment of certain moneys due John C. M'Ghee.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay John C. M'Ghee the sum of two hundred and sixty-five dollars, out of any moneys in the treasury unappropriated.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 9.

RESOLUTION

Relative to the pay of William W. Ivory, for his services as clerk to the Committee in the contested Election Case of John C. M'Ghee, and for the payment of the Sergeant-at-Arms and his Deputy, for serving subpoenas in the same case.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and required to pay William W. Ivory, for his services as clerk to the committee on the contested election of John C. M'Ghee, according to a resolution of the House of Representatives authorizing his employment; also the fees of the sergeant-at-arms and his deputy, for serving subpoenas in same case.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 10.

RESOLUTION

Relative to the claim of the Montour Iron Company.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby resolved by the authority of the same, That the board of canal commissioners are authorized and requested to ascertain and report to the legislature as soon as they conveniently can, the amount of the balance due, if any, from the commonwealth to the Montour iron company, for railroad iron sold and delivered by the said company, under a written contract, in one thousand eight hundred and fifty-one, for the Allegheny Portage road.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 11.

RESOLUTION

Relative to the Canal Basin at Portsmouth, Dauphin county.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That canal commissioners are hereby authorized and required (in conjunction with such officer as may be designated by the Union canal company,) to examine the basin at Portsmouth, which is common to the state and the Union canal company, and report to the legislature what alterations, if any, will be necessary for more efficient use, the probable cost of such alterations or improvements, and whether the same should be paid by the Commonwealth or the company, or in what proportion by both.

RICHARDSON L. WRIGHT,

Speaker of the House of Representatives.

WM. M. PIATT,

Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 12.

RESOLUTION

To authorize the Canal Commissioners to exchange a certain Lot of Land in or near the borough of Milton, Northumberland county.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That it shall and may be lawful for the canal commissioners to change the location of the lot of ground or garden attached to the lock-house on the West Branch division of the Pennsylvania canal, at or near the borough of Milton, in the county of Northumberland, or so much of said lot as said commissioners shall deem advisable, if they shall be of opinion that such change can be conveniently made without injury to the public works: Provided, The owner or owners of the land with whom such exchange shall be proposed to be made, shall consent to the same; and that the said canal commissioners shall and are hereby authorized to make conveyances of the land now occupied as aforesaid, to the person or persons with whom they shall make such change, and to receive conveyances from such person or persons, in the name of the Commonwealth, for the land they shall take in exchange and hereafter occupy for a lot or garden to said lock-

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house: *And provided*, That the whole expense of the conveyance or exchange aforesaid, shall be borne by the person or persons with whom the said commissioners shall make such exchange.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 13.

RESOLUTION

For the Payment of the Expenses attending the late Investigation before the Committee on Printing.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he hereby is directed to pay, upon warrants of the auditor general, the sum of one hundred and two dollars and eleven cents, expenses of the committee on printing of the House of Representatives, and of witnesses before the committee, as follows, viz:

To W. S. Haven forty-nine dollars.

Joseph Severns twenty-five dollars.

H. F. M'Reynolds ten dollars.

W. H. Butler fifteen dollars.

For telegraphic despatches three dollars and eleven cents, to the chairman of the committee.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 14.

RESOLUTION

Relative to furnishing Books by the State Printer to the State Librarian,
for the purpose of Foreign Exchange.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state printer be and he is hereby directed to place in the hands of the state librarian for foreign exchanges, ten copies of each of the publications authorized by the legislature, and that the librarian be required to state in his annual report to the legislature how he has disposed of them, and what works he has received in return for them.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

APPENDIX—1851.

No. 591.

AN ACT

For the relief of Henry Berrier and Margaretta his wife; relative to the destruction of Deer in Adams county; to incorporate the Muncy Copper Mining and Smelting Company, in Lycoming county; and relative to the Stockholders of the Lykens Valley Railroad Company.

Preamble.

WHEREAS, It is alleged by Henry Berrier and Margaretta his wife, that a deed executed by them on the twenty-seventh day of July, one thousand eight hundred and forty-three, to Charles F. Muench, for five acres of land in Susquehanna township, Dauphin county, Pennsylvania, in trust and for the use of the said Margaretta and the children of Henry and Margaretta, was given by them without any good or valuable consideration and in an entire mistake as to its provisions and effect; therefore,

Court of common pleas of Dauphin county to entertain petition relative to a certain trust.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of Dauphin county are hereby authorized to entertain the petition or application of said Henry to declare the said deed of trust to be null and void, and upon hearing the testimony, under oath or affirmation, of the said parties, and such witnesses as may be produced by either thereof, they shall decide as to them to justice and equity shall seem to belong.

Hunting of deer in Adams county.

SECTION 2. That if any person or persons shall, within a period of five years from the first day of August next ensuing the passage of this act, hunt, chase or follow, with the design to kill, or shall kill or destroy any buck, doe or fawn within the limits of the county of Adams, and shall be lawfully convicted thereof by the oath or oaths of one or more creditable witnesses, or the confession of the party, before any justice of the peace in and for said county, he or they shall forfeit and pay the sum of twenty-five dollars for every such offence, one moiety of which shall be paid to the treasurer of the school fund, for common school purposes, of the township wherein such conviction shall be had, and the other moiety to the person or persons who shall prosecute and sue for the same. And the collector of school tax in the township in which any person or persons so offending shall be convicted, shall proceed in the same manner, and shall have like force and authority to collect such fines as the collectors of county rates and levies have, under the laws now existing or that may hereafter be enacted relative to the

collecting of county rates and levies within this commonwealth : *Provided however*, That no person shall be prosecuted or convicted for any offence against this act, unless such prosecution shall be commenced within six months after the offence shall be committed.

SECTION 3. That so much of any act or acts relative to the hunting of deer as is inconsistent with this act, be and the same be hereby repealed, so far as they relate to the county of Adams. Repeal.

SECTION 4. That Edward Gratz, George H. Thomson, Alexander Cummings, David C. Levvy and John M. Lisle, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and title of the Muncy copper mining and smelting company, in Lycoming county, for the purpose of mining, smelting and selling copper and other minerals, (except iron,) and erecting and constructing such buildings, machinery and appendages as may be necessary for such purposes; and the said corporation by said name is hereby declared and made capable in law to sue and be sued, to plead and be impleaded, to have a common seal and the same to alter and renew at pleasure, to make rules and by-laws for the regulation and management of said corporation, consistent with the laws of this commonwealth, and generally to do and execute whatever by law shall appertain to such body politic. Corporators.
Style.
Objects.
Privileges.

SECTION 5. That the said corporation shall have the right to hold, possess and enjoy not exceeding two thousand acres of land, in Lycoming county, and that the capital stock of said company shall not exceed in value two hundred thousand dollars, and shall be divided into such a number of shares as the corporators in their by-laws may prescribe or deem necessary and expedient, which capital shall be employed in purchasing and holding the lands aforesaid, and in constructing such buildings and machinery as may be necessary or useful for the mining and smelting of copper and other ores, (except iron,) the product of their mines, and for the general purposes of said company. Every member of said company shall have a certificate under the seal of the corporation, made and attested in such form as the by-laws shall direct, certifying his property in the same or shares owned by him; and the stock in said company shall, in the nature of personal property, be assignable and transferable according to such rules as the board of directors shall establish; and no stockholder indebted to the company shall be permitted to make a transfer or receive a dividend until such debt is discharged or security given for the same to the satisfaction of the board of directors. May hold land.
Capital stock.
Exception.
Certificates of stock.
Transfers.

SECTION 6. That the above named Edward Gratz, George H. Thomson, Alexander Cummings, David C. Loy and John M. Lisle, or their associates, successors and assigns, shall have subscribed twenty thousand dollars and actually paid in and expended not less than twenty per centum of said subscription in purchasing lands and such other investment as are authorized by the second section of this act, for the uses and purposes of said company, the governor, on evidence thereof, shall, by letters patent, under his hand and the seal of the state, create and erect the said Edward Gratz, George H. Thomson, Alexander Cummings, David C. Loy and John M. Lisle, and their associates, successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Muncy copper mining and smelting company, in Lycoming county. Letters patent.
Title.

Directors.

SECTION 7. That the affairs shall be managed by five directors, to be chosen annually from the stockholders by a majority of the votes given, either in person or by proxy; the first election shall be held in the city of Philadelphia, within thirty days after letters patent shall have issued, of which public notice shall be given by three or more of the stockholders named in the first section of this act, at least two weeks previous in one or more papers printed in Philadelphia and Lycoming county; and the subsequent elections shall be held annually at such convenient time and place as the directors shall appoint, of which previous notice shall be given by the president of the company, at least thirty days; the directors, as soon as may be after their election, shall meet at such time and place within the county of Lycoming, as may be designated by a majority of them, and choose by ballot one of their number for president, to serve for one year and until superseded by a new election; they shall also have power to appoint other officers and agents to conduct and prosecute the business of said company, in such manner as they shall deem necessary and proper; at all meetings of the board three members shall form a quorum to transact business, and minutes of all their proceedings and regular accounts of all their transactions as well as minutes of the proceedings of the stockholders, at each of their meetings, shall be duly recorded in books to be kept for those purposes, and shall be exhibited for inspection at all meetings of the stockholders; and the said directors shall declare and pay annually to the stockholders or their legal representatives, a dividend of such part of the net profits of said company as to them shall appear advisable and expedient; but if the directors shall make any dividend which shall impair the capital stock of said company, the directors assenting thereto, shall be liable jointly and severally, to the said company for the amount so divided, and each director present when such dividend shall be made, shall be adjudged consenting thereto, unless he forthwith enters his protest on the minutes of the board, and give public notice thereof to the stockholders.

Meetings.

President

Quorum.

Dividends

Payment of stock

SECTION 8. That the directors aforesaid may from time to time, at any meeting, assess upon each share of stock such sum of money, not exceeding twenty per cent., as shall be judged necessary for the use and purpose of the company, to be paid at such time and place, and to such person or persons, as the said directors may authorize to receive the same; and if after thirty days public notice in one or more papers printed in the city of Philadelphia and in Lycoming county, of the time and place of payment of any proportion or instalment of said capital stock, any stockholder shall neglect to pay his instalment for thirty days after the time so designated, the amount previously paid may be forfeited to the company, and the stock aforesaid may be sold to any person for such price as can be obtained for the same.

Limitation.

Restriction.

SECTION 9. That this act may continue in force for the term of twenty years from the passage hereof, and the legislature reserves the right to revoke, alter or amend the charter hereby granted, at any time hereafter: *Provided*, That nothing herein contained shall be construed as in any way giving to the said company any banking or trading privileges, or any other privileges but such as are provided by the first section of this act: *And provided moreover*, That the said company shall pay to the

state treasurer a tax of one per centum on the amount of capital stock subscribed, to be paid in four annual instalments, the first instalment to be due and payable on the first day of January, A. D. one thousand eight hundred and fifty-two, and the three remaining instalments on the first days of January of each succeeding year.

SECTION 10. That each stockholder of the Lykens Valley railroad company, in Dauphin county, shall be entitled to one vote for each share of stock he or she holds. Relative to Lykens Valley railroad.

JOHN CESSNA,

Speaker of the House of Representatives.

BENJ'N MATTHIAS,

Speaker of the Senate.

APPROVED—The tenth day of April, one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.

APPENDIX—1853.

No. 592.

AN ACT

To incorporate the Board of Colportage of the Synod of Pittsburg.

Corporators.

Style.

Terms of office.

Objects.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following named ministers connected with the general assembly of the Presbyterian church, (old school) to wit: Richard Lea, W. D. Moore, James Montgomery, Nathaniel West, E. E. Swift, B. C. Critchlow, S. Fulton, J. M. Hastings, A. T. McGil, James M. Smith, A. D. Campbell, Isaac M. Cook, W. D. Howard, S. M. M'Clung, Melanthon W. Jacobus, and the following named elders or laymen, also members of said church, to wit: B. R. Bradford, J. Carothers, John Gray, Luke Loomis, Robert Campbell, William Campbell, T. H. Nevin, S. C. Orr, John Reynolds, J. D. Williams, F. G. Bailey, Alex. Wilson, Wm. Bakewell, James Schoonmaker and Robert Semple, and their successors in office, elected from time to time by the synod of Pittsburg, be and they are hereby made a body politic and corporate in law, under the name, style and title of the Board of Colportage of the Synod of Pittsburg, and by that name shall be able and capable in law to have and use a common seal, to sue and be sued, to plead and be impleaded, and to do all such other things as are incident to a corporation.

SECTION 2. That of the above named persons, the five ministers first named, and the five elders or laymen first named, shall serve for one year, the next mentioned five ministers and the next mentioned five elders or laymen shall serve two years, and the last named five ministers, and the last named five elders or laymen shall serve three years from the present meeting of the Synod of Pittsburg, and that hereafter the Synod of Pittsburg shall at each of their annual meetings successively elect or choose five ministers and five elders or laymen connected with the church, within the bounds of said synod, to serve three years, to supply the vacancy thus occurring.

SECTION 3. That the objects and duties of said board of colportage shall be the sale and dissemination, by means of colporteurs or otherwise, of the books and publications of the board of publication of the Presbyterian church, and such other books or publications as they may see fit to adopt, and such other duties as may devolve on them from time to time by the action of said Synod of Pittsburg.

SECTION 4. That the board of colportage shall meet at least once in every year, and as much oftener as may be deemed advisable; their annual meeting shall be held on the Wednesday of the meeting of synod, or nearest thereto, and their semi-annual meeting within six months thereafter; and the board shall annually at the first meeting which shall be held after synod shall have elected the new members of the board, elect out of their own body the following officers, to wit: a president, a secretary, a treasurer, a corresponding secretary, and an executive committee, to consist of five ministers or five elders or laymen, all of whom shall serve one year.

Meetings of board

Election of officers

SECTION 5. That the board of colportage may at any regular special meeting, if they deem it expedient, elect a general agent, to serve during the pleasure of the board.

General agent.

SECTION 6. That the executive committee shall hold regular meetings, and at their first meeting held after their election, shall choose a president and secretary; and at their stated meetings they shall elect from their number a business committee, to serve until the next stated meeting.

Executive committee.

SECTION 7. That the powers and duties of the executive committee shall be as follows: To elect and choose such agents, (excepting the general agent,) whether colporteurs or otherwise, they may think expedient, to attend to the details of the business and the management of the funds, and generally to carry out the objects of the institution, subject to the direction of the board of colportage and of the Synod of Pittsburgh.

Powers, &c., of executive committee.

SECTION 8. That the executive committee shall have the power, whenever they deem it advisable, to elect and constitute the general agent ex-officio member of the executive committee, and also to fill any vacancies in the executive committee that may from time to time occur, by death, resignation, or otherwise, until the next annual meeting of the board.

Other powers.

SECTION 9. That in case of any vacancy or vacancies occurring in the board by death, resignation, failure of the synod to elect, or otherwise, the board shall have power at any stated or special meeting, to be called on ten days' notice, by publication, to fill such vacancy or vacancies until the next meeting of synod, at which time the synod may supply such vacancy for the unexpired term, if any, of any person or persons by whom such vacancy occurred.

Vacancies in board.

SECTION 10. That the capital stock of the board of colportage of the Synod of Pittsburgh may be five thousand dollars, to be increased from time to time by the Synod of Pittsburgh, at their discretion: *Provided*, That the money capital shall not be increased to exceed twenty thousand dollars; besides which, the said board of colportage of the Synod of Pittsburgh may hold any real estate acquired by purchase, devise, or otherwise, the annual income from which shall not exceed ten thousand dollars.

Capital stock.

Provide.

SECTION 11. That the board of colportage may at any meeting make and enact such by-laws or regulations for the government of themselves, their officers, or of the executive committee, as they may deem expedient, and alter or amend the same from time to time: *Provided*, The same shall not in any way conflict with the constitution or laws of the United States or of this commonwealth.

By-laws.

SECTION 12. That the executive committee shall make a written report of their business, finances, and proceedings, to each of the two stated meetings of the board in each year, and the

Report of executive committee.

board itself shall make a written report of its business, finances, and proceedings, to the Synod of Pittsburg, at each regular annual meeting.

Old officers.

SECTION 13. That the officers of the board, and the executive committee in office at the time of the granting of the foregoing charter, shall continue to serve as if duly elected until the first meeting of the board of colportage which is held after the granting of this charter.

W. P. SCHELL,

Speaker of the House of Representatives.

THO. CARSON,

Speaker of the Senate.

APPROVED—The twenty-ninth day of January, A. D. one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 593.

A N A C T

To incorporate the Jersey Shore, Pine Creek and State Line Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John A. Gamble, S. G. Allen, George Tomb, A. H. M'Henry, Robert Crane, Thomas Brown, J. B. Torbitt, George M. Ott, of Lycoming county; and Hezekiah Stowell and Robert G. White, of Tioga county, and P. M. Price and J. R. Flanigen and Timothy Ives, John Ott Rockafellow, George M. Lauman, Samuel F. Pratt, Aaron D. Patchin, John Wilkison, R. H. Haywood, W. A. Sever, Silas Seymour and Joseph G. Hoyt, be and the same are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Jersey Shore, Pine Creek and State Line railroad company, with all the powers and subject to all the restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, except so far as they are hereby altered or supplied.

SECTION 2. That the capital stock of said company shall consist of eight hundred thousand dollars: *Provided,* That the said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road and to carry out the true intent and meaning of this act.

SECTION 3. That the said company shall have the right to build or construct a railroad, with a single or double track, beginning at Jersey Shore, in the county of Lycoming, thence by

the way of the valley of the Pine Creek, through the counties of Tioga, Potter and McKean, or by any other practicable route from the mouth of Long run, in the county of Tioga, to the New York state line.

SECTION 4. That whenever the parties cannot agree upon the damages claimed, either for lands or materials taken by said company in the prosecution of their work, the mode of proceedings in regard thereto shall be the same in all respects as is provided for in section second of the act passed the sixth of April, one thousand eight hundred and fifty, regulating the course of proceedings in the case of the Liggit's Gap railroad company.

SECTION 5. That said company be and they are hereby authorized to borrow money to an amount not exceeding the capital stock of said company, upon bonds to be issued by said company, secured by mortgage upon so much of the corporate property as shall be deemed adequate for the purpose of such security, whenever the said president and directors shall deem the issue of such bonds expedient: *Provided*, That the rate of interest on said bonds shall not exceed seven per centum per annum, and that said bonds may be convertible into the stock of the said company at the option of the company; and no bond shall be issued for a sum less than one thousand dollars.

SECTION 6. That if the said company shall not commence the construction of said road within three years and complete and open the same for use, with at least one track, within ten years, then this charter shall be null and void.

W. P. SCHELL,
Speaker of the House of Representatives.

THO. CARSON,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 594.

AN ACT

To incorporate the Lewisburg, Centre and Spruce Creek Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Cameron, James F. Linn, George F. Miller, Thomas Hayes, William Frick, Hugh F. Skeller, James S. Marsh, Peter Beaver, John Walls, Philip Ruhl, Francis Wilson, James M. Creight, Gideon Biehl, J. F. Pontius, John Gast, John Stitzor, John M. Taylor, William Taney, junior, George Driesbach, John Wilt, John Ruhl, Samuel Barber, of Union county; John C. Moats, N. F. Weaver, John Wolfe, Daniel Kurtz, H. S. Groce,
Commissioners.

	W. C. Duncan, Robert Smith, Christ. Moyer, Daniel Bartges, Philip Musser, Frederick Heckman, Charles Smith, John Grove, George Buchanan, John Bishell, Peter Wilson, Jonas Musser, Adam Fisher, John S. Forster, Thomas Dutcheson, Samuel Vantrice, Thomas Wolfe, C. Coburn, Jacob Wolfe, Emanuel Ethinger, George Groce, Daniel Kline, John Kreemer, Jacob E. Stow, David Duncan, John Neff, John Sweetwood, George Darst, Peter Duffert, Henry Witmer, John Hassen, G. W. Johnson, George Boal, W. J. Wilson, James Irvin, Samuel Gilleland, William Burchfield, John Shirk, S. H. Stow, John Ross, of Centre county, and John Lyons, Joth M. Williams, J. Hazlet, John Isett, David Stewart, of Huntingdon county, or any five of them, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of The Lewisburg, Centre and Spruce Creek railroad company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of January, one thousand eight hundred and forty-nine.
Style.	
Subject to.	
Capital.	SECTION 2. That the capital stock of said company shall consist of thirty thousand shares of fifty dollars each: <i>Provided</i> , That the said company may from time to time, by a vote of the stockholders, at a meeting to be called for that purpose, increase the capital stock of said company so much as shall be deemed necessary to complete said road, and carry out the provisions of the act of incorporation.
Route.	SECTION 3. That the said company shall have the right to build and construct a railroad from Lewisburg, in Union county, thence through the southern valleys of Centre county, to a point at or near the mouth of Spruce creek, in Huntingdon county, by such practicable route and moderate grades as will, in the opinion of the president and directors of said company, be most conducive to the public interest, and to connect the said road with the Pennsylvania railroad at the latter point, and with the Susquehanna railroad at Lewisburg.
Tolls.	SECTION 4. That when any section or sections of five miles of said road shall be completed, the said company may use, employ and enjoy the same, in the same manner as when the entire length thereof shall be completed.
Limitation.	SECTION 5. That if said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within eight years thereafter, this act shall be declared null and void, except so far as may be necessary to wind up the affairs of said company and pay the debts of the same.

W. P. SCHELL,
Speaker of the House of Representatives.

THO. CARSON,
Speaker of the Senate.

APPROVED—The twelfth day of April, A. D. one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 595.

A N A C T

To incorporate the Nicholson Run and Pine Swamp Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George M. Young, Samuel Hamilton, Atkinson Martin, Fergus M'Clelland, Robert Shannon, Thomas J. Power, John M'Cowan, Hugh Marshall, and Perry Martin, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Nicholson Run and Pine Swamp railroad and coal company, for the purpose of constructing a railroad as hereinafter provided, and also for the purpose of mining coal, and for transacting the usual business of companies engaged in mining, transporting and selling coal and other products of coal lands; the capital stock of said company shall be four hundred thousand dollars, and the said company may hold any quantity not exceeding two thousand acres of land, in the counties of Beaver and Lawrence, together with such quantity as may be necessarily required in the prosecution of their legitimate business, for stations and other fixtures belonging thereto; and the said company shall have the same powers, liberties, privileges, immunities, and be subject to the same terms and conditions as are imposed in the act approved the nineteenth of February, one thousand eight hundred and forty-nine, entitled "An Act to regulate railroads:" *Provided, That the said company shall pay to the state treasurer, for the use of the commonwealth, in four equal annual instalments, one per centum on the capital stock hereby authorized, and if the same should hereafter be increased, then and in that case the said company shall pay as aforesaid, one per centum upon such increase, the first instalment to be paid at the expiration of one year after the commencement of the road.*

SECTION 2. That the said company shall have power to construct a railroad from a point on the Ohio and Pennsylvania railroad, on or near lands of George M. Young, in Big Beaver township, in the county of Beaver, by way of the Pine Swamp, to the town of New Castle, in Lawrence county, or some other point on the Beaver division of the Pennsylvania canal or slack-water, or any railroad that now is or may be incorporated by this commonwealth, within the bounds of the said counties.

SECTION 3. That the said corporators named in the first section of this act are hereby authorized and empowered, respectively each and every of them, to subscribe any amount of their coal lands, or coal rights in such lands, not exceeding two hundred acres, at a price to be agreed upon by said corporators, and not to exceed two hundred dollars per acre, and to be incorporated as capital stock within twenty days from the date of the letters patent; and that the stockholders in said company shall be jointly and severally liable in their individual capacities and estates, for all debts and contracts made by said company, for all labor done, and for all machinery and other materials furnished

for said company, to be enforced and collected in the manner provided in the act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved the seventh day of April, Anno Domini, one thousand eight hundred and forty-nine, in cases of individual liability, under the provisions of said act.

May pay interest
on subscriptions
paid in.

SECTION 4. That the president and directors of said company be and they are hereby authorized, if they deem it advisable, to pay to the shareholders entitled to receive the same, in the months of January and July in each year, interest at the rate of six per centum per annum, on all instalments paid by them on their several shares of stock, and shall continue to pay the same till the road and improvements are in operation, and the said profits or earnings of the said road and mining within the same time, shall be credited to the cost of construction, and all interest paid shall be charged to the cost of construction: *Provided*, That interest shall not be paid on any share of stock on which any instalment, which has been called for, remains unpaid: *Provided further*, That the stock of said company shall not be subject to any tax in consequence of the payment of the interest hereby authorized, until the net income of the company shall be at least six per centum per annum on the capital invested.

Tolls.

SECTION 5. That whenever any section or sections of three miles of said road shall be completed, the said company may use, employ and enjoy the same in the same manner as when the entire length thereof shall be constructed: *Provided*, That if the said company shall not commence the construction of said road within five years, and complete the same within six years after the passage of this act, then and in that case it shall be null and void, except so far as it may be necessary to settle up the concerns of said company, and pay the debts.

Limitation.

SECTION 6. That this act shall remain in force for the period of twenty-five years, and the legislature hereby reserves the right to repeal or modify the same, provided no injustice be done to the corporators.

W. P. SCHELL,
Speaker of the House of Representatives.

THO. CARSON,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three.

WM. BIGLER.

APPENDIX—1854.

No. 596.

A N A C T

To incorporate the Scranton Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Benjamin H. Throop, Joseph H. Scranton, John D. Mead, Edward C. Fuller and James M'Kinney, and their associates, successors and assigns, and other persons who shall become stockholders, be and they are hereby made and created a body politic and corporate, by the name and style of the Scranton gas and water company, and by the said name they shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatures whatsoever, and also of contracting and being contracted with relative to the business and objects of the said corporation; and they may have a common seal and may change and alter the same at pleasure, and they shall have power to lease or purchase, in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, not exceeding ten acres, and in their corporate name to make and execute obligations for their liabilities created for the purchase money for the same, and other necessary effects of said corporation, as they may deem expedient: Provided, That such liabilities shall be created only for the purposes stated in this act.*

Corporators.

Style.

Privileges.

SECTION 2. That the said company shall have power to provide, erect and maintain all works, machinery, fixtures or engines necessary or proper for making, raising and introducing into the village of Scranton, Luzerne county, a sufficient supply of gas and pure water; and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of the gas and water to be introduced, and for this purpose they are authorized and empowered, by themselves, their agents, engineers and workmen, to take water from any stream and with their tools, carts, wagons and horses to enter upon lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as may be necessary to occupy or to obtain necessary materials for the construction of the said works, and to occupy, ditch and lay pipes, and from time to time to repair the same; and if any injury be done to private property the said company shall make compensation therefor in the manner hereafter provided.

Powers.

Damages.

SECTION 3. That if in the location of said works an injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of the county for the appointment of three judicious men to view the premises and make report to the court, whose award shall be subject to the right of appeal by either party, and when appealed from to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment and be collected in like manner.

Capital stock.

SECTION 4. That the capital stock of said company shall be twenty-five thousand dollars, to be divided into one thousand shares of twenty-five dollars each; and the said company shall have the right to increase their said capital stock from time to time, as the board of directors may deem necessary: *Provided*, That the whole capital stock shall not exceed seventy-five thousand dollars.

President and managers

SECTION 5. That the stockholders shall annually, on the first day of January of each year, elect a president, six managers, secretary and treasurer for said company.

By-laws.

SECTION 6. That said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*, That the same do not conflict with the laws of this commonwealth.

Certificates of stock.

SECTION 7. That the president and managers shall procure certificates of stock, which, signed by the president and treasurer and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his pleasure, in the presence of the president, treasurer or other person appointed by the company for that purpose, subject, however, to all payments due and to become due thereon; and when such assignment shall have been made and entered upon the books of the said company, the holder shall be a member of the said company; and in every election or meeting the stockholders of the said company shall be entitled to one vote for each share of stock by him or them held.

Payment of stock.

SECTION 8. That if any subscriber for stock, or his assignee, shall refuse or neglect to pay any instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long as that this penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of the said company to forfeit the said stock and the amount paid thereon, to be disposed of by the said company as will best promote their objects and interests.

May borrow money.

SECTION 9. That the said company, if necessity requires, shall have power at any time to borrow any sum of money not exceeding ten thousand dollars, to be applied to the prosecution or improvement of the said work or works, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for the security and re-payment of the same:

provided, That no bond or other security for such loan shall be for a less sum than one hundred dollars.

E. B. OHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 597.

AN ACT

To incorporate the Hollidaysburg Water and Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James M. Bell, Thomas B. Moore, Henry Leamer, Thaddeus Banks, R. R. Bryan, R. A. M'Murtrie, Thomas C. M'Dowell, Gilbert L. Lloyd, Henry L. Patterson, David Watson, Thomas Ingham, John Cresswell, junior, and William M'Farland, and their successors, associates and assigns, or persons who shall become stockholders, be and they are hereby made and created a body politic and corporate, by the name and style of The Hollidaysburg water and gas company, and by the said name they shall have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatures whatsoever, and also of contracting and being contracted with, relative to the business and objects of the said corporation, and they may have a common seal, and may change and alter the same at pleasure, and they shall have power to lease or purchase in fee simple such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute their obligations for their liabilities created for the purchase money for the same and other necessary effects of said corporation, as they may deem expedient: *Provided*, That such liabilities shall be created only for the purposes stated in this act.

SECTION 2. That the said company shall have power to provide, erect and maintain all works and machinery or engines necessary or proper for making, raising and introducing into the borough of Hollidaysburg a sufficient supply of pure water and gas, and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of water and gas to be introduced, and for this purpose they are authorized and empowered, by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and horses, to enter upon such lands and enclosures, streets, lanes

and alleys, roads, highways and bridges, as may be necessary to occupy or to obtain materials for the construction of the said works, and to occupy, ditch and lay pipes through the same, and the same from time to time repair, and if any injury is done to private property, the said company shall make compensation therefor, in the manner hereafter provided.

Damages, how
ascertained

SECTION 3. That if in the location of said works an injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner or owners, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of Blair county, for the appointment of three judicious men to view the premises and make report to the court, whose award shall be subject to the right of appeal by either party, and when appealed from to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment, and be collected in like manner.

Capital.

SECTION 4. That the capital stock of said company shall be forty thousand dollars, to be divided into sixteen hundred shares of twenty-five dollars each, with the right to increase said capital stock from time to time, as the board of directors may deem necessary: *Provided*, That the whole capital stock shall not exceed eighty thousand dollars.

Elections.

SECTION 5. That the stockholders shall annually on the first Monday in January of each year, elect a president, nine managers, secretary and treasurer for said company, and until the first Monday in January next, the corporators above named shall be the managers thereof, and shall choose from their number a president, secretary and treasurer.

By-laws

SECTION 6. That said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same, as they may deem proper: *Provided*, That the same do not conflict with the constitution and laws of the commonwealth.

Borough of Hollidaysburg may
subscribe.

SECTION 7. That it shall be lawful for the borough of Hollidaysburg in its corporate capacity, to subscribe for any number of shares of stock of the said company, specifying, if the said borough in its corporate capacity, as aforesaid, thinks proper, whether the subscription so made by the said borough shall be applied to the construction of water or gas works, and to enable the said borough of Hollidaysburg to subscribe stock as aforesaid, it is hereby authorized to borrow from time to time, any amount of money not exceeding the one-third of the whole sum required to carry into successful operation the said water works or gas works, or both of them, and to pledge their property and franchises for the payment of the same; and if the said borough of Hollidaysburg shall subscribe and take one-third of the capital stock which shall be subscribed for the completion of said works or works, the town council of the said borough shall annually appoint two managers of the said company, and in that event the election of all other stockholders shall be confined to the president and nine managers, and other stockholders shall alone have power to vote at such elections and meetings.

And elect two
managers

Certificates of
stock

SECTION 8. That the president and managers shall procure certificates of stock, which, when signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his or

or pleasure, in the presence of the president, treasurer, or other person appointed by the company for that purpose, subject, however, to all payments due and to become due thereon; and when such assignment shall have been made and entered upon the books of the said company, the holder shall be a member of the said company, and in every election or meeting of stockholders of the said company, shall be entitled to one vote for each share of stock by him or them held.

SECTION 9. That if any subscriber for stock to said company, ^{Payment of sub-} his or their assigns, shall refuse or neglect to pay any in- ^{scriptions.} stalment called for by the said company, at the place appointed, and the same shall remain unpaid for thirty days after the time pointed, he or they shall, in addition to the instalment called for, pay at the rate of five per centum per month for delay, and the same shall remain so long as that this penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of said company to forfeit the said stock and the amount paid thereon, to be disposed of by the said company as will best promote their objects.

SECTION 10. That the said company, if necessity require, shall have power at any time to borrow any sum of money not exceeding fifteen thousand dollars, to be applied to the prosecution of improvement of the said work or works, and to pledge their lands and chattels, property, franchises and effects, by mortgage or otherwise, for security and re-payment of the same: ^{May borrow money.} *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN, ^A
Speaker of the Senate.

APPROVED—The sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 598.

AN ACT

To incorporate the Tyrone and Clearfield Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James J. Duncan, James Murphy, William H. Allen, George J. Wetherill, David Jayne, William C. Patterson, Joseph Ripka, Samuel Schober, John Grigg, George H. Hart, Frederick Cotterel, Robert Patterson, Jacob Lex, Franklin Bell, William M. Swain, A. S. Roberts, W. W. Paul, George A. White, Joseph B. Ard, A. C. Wilson, Morris Patterson, Samuel Milliken, senior, John M. Hale, Thomas L. Bailey, J. B. Meyers, H. N. ^{Commissioners.}

Burroughs, Cootes Walton, Stacy Barcroft, John Anspach, C. Montgomery, Charles Truit, and Morris L. Hallowell, of the city and county of Philadelphia; Elis Irwin, Henry Loria, B. Patton, Richard Shaw, J. W. Smith, William Irvin, J. Boyton, James B. Graham, A. K. Wright, William Powell, of Clearfield county; A. G. Curtin, John T. Hoover, J. J. Lingle, James Irvin, James P. Hale, D. J. Pruner, and Charles B. Foster, Centre county; J. T. Mathias of Blair county; G. W. Zier, John Dougherty, Darius Smith, of Jefferson county, or any of them, be and they are hereby appointed commissioners to open books for the purpose of receiving subscriptions to the capital stock of the company hereinafter directed to be incorporated.

Capital.

SECTION 2. That the capital stock of said company shall not exceed thirty thousand shares at fifty dollars per share, with the privilege of increasing their capital stock to such amount as will enable them to construct and finish the road to the point referred to in this act.

Style and powers.

SECTION 3. That the Tyrone and Clearfield railroad company hereby directed to be incorporated, shall be and hereby is vested with all the rights and powers necessary for the construction of a railroad, with one or more tracks, beginning and connecting with the Pennsylvania railroad, at or near Tyrone, thence by way of Emeigh's Gap, taking the shortest and most practical route, so as to intersect with any other railroad leading to Lake Erie: *Provided*, That the said company shall not construct or extend their road northwardly or eastwardly of the located route of the Sunbury and Erie railroad.

Route.

Subject to.

SECTION 4. That said company shall be entitled to all the rights and privileges and be subject to all the restrictions and regulations provided for in the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

May pay interest on subscriptions.

SECTION 5. That the president, directors and company of the Tyrone and Clearfield railroad are hereby authorized and required to pay interest at the rate of six per cent. on all subscriptions actually paid in, to the treasury of said company, until the completion of the first thirty-five miles of said road, commencing at Tyrone.

E. B. CHASE,
Speaker of the House of Representatives.
M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 599.

AN ACT

To incorporate the Jeddo and Carbon County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly, and it is hereby enacted by the authority of the same, That* Pardee, of Luzerne county; William Lilly, of Carbon County; William W. Longstreth, Algernon S. Roberts, J. Gilham Fell and Edward Roberts, of Philadelphia city, and such other persons as shall become shareholders, be and they are by incorporated into a body corporate in deed and in law, under the name, style and title of the Jeddo and Carbon County Railroad company, with all the powers and subject to all the provisions and restrictions of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine: *Provided,* that the managers shall consist of a president and six directors, a majority of whom shall form a quorum.

SECTION 2. That the capital stock of said company shall consist of ten thousand shares of fifty dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete said road and to carry out the true intent and meaning of this act, not exceeding five thousand additional shares.

SECTION 3. That the said company shall have the right to build and construct a railroad from any point on the waters of Black creek, in Hazle, Denison, Butler and Black Creek townships, Luzerne county, to the Lehigh river, with the privilege of connecting with the Hazleton and Beaver Meadow company road, and also to construct branch roads, not exceeding five miles each in length, from their main line to accommodate the owners of coal lands.

SECTION 4. That the president and directors of said company hereby authorized and empowered to issue, sell and transfer capital stock of said company, and to apply the proceeds thereof to the construction of the railroad authorized by this act, and the cars, engines, buildings and other appurtenances necessary for the transportation of passengers, coal and other commodities, and to borrow such sums of money as they may deem necessary for the purposes aforesaid, not exceeding two hundred and fifty thousand dollars, to issue their bonds or obligations for the same in sums of not less than one hundred dollars each, and to mortgage the road, property and franchises of said company as security therefor.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 600.

AN ACT

To extend the Charter of the Bank of Middletown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Bank of Middletown be and the same is hereby extended and continued for the period of fifteen years from and after the expiration of its present charter, subject to all the provisions, limitations, restrictions and privileges of the act of assembly, entitled "An Act to regulate banks, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 601.

AN ACT

To incorporate the Navigation Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Boyer, Jonas Robinhold, George Wagner, Nathaniel F. Jones, James Lyon, John S. Boyce, Henry S. Denison, Richard Carter, and all those persons who may or shall hereafter subscribe for the stock of the company hereby created, be and are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Navigation railroad company, and by the same name shall have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and shall be entitled to all the rights and privileges, and be subject to all the restrictions and regulations provided for in the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, which are not inconsistent with the provisions of this act, and be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and also to make and have a common seal, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the

Corporators.

Style.

Subject to.

Privileges

government of said company, not being contrary to the constitution and laws of the United States, or of this commonwealth, and generally to do all and singular those matters and things which to them shall lawfully appertain to do, for the benefit of the said company or corporation, and the due management and ordering of the affairs of the same: *Provided*, Proviso.

nothing herein contained shall be considered as in any way giving to the said company or corporation any banking privileges or franchises, but such as may be necessary or incidental to the making, equipping and maintaining of the said railroad and the conveyance of passengers and the transportation of United States mail, and of coal, iron, minerals, goods, merchandise and other commodities thereon: *And provided further*, the said company hereby created, shall not purchase or own any real estate except such as may be necessary for the building and construction of said railroad, and for depots, engines and water stations.

SECTION 2. That the said named person or persons, or a majority of them, shall, after having given at least ten days' previous notice, in one or more newspapers, in the county through which this road may pass, of the time and place by them appointed to meet, together with such persons as may subscribe to the stock of the said company, in order to organize the same, choose by a majority of the votes of the subscribers, by ballot, one president and two managers, one of them to act also as secretary and treasurer, and such other officers as shall be deemed necessary; and the president and managers so elected, shall conduct the business of the said company until such by-laws, rules and regulations, as are not inconsistent with the laws of the United States, or of this commonwealth, be made, as may be necessary for the well governing of the affairs of the said company: *Provided*, That no person but a stockholder holding at least five shares of twenty dollars each, in the stock of the said company, shall be eligible to the office of president or manager of the said company. Organisation.

SECTION 3. That the amount of capital stock of said company shall be ten thousand shares of twenty dollars each, which may at any time be increased to meet the wants of the company, to construct, equip and maintain the said railroad, and for uses connected with the said railroad. Capital stock.

SECTION 4. That the president and managers of said company shall have power to cause a survey to be made, and to lay out, ascertain, mark out and fix such route or routes as they may deem expedient for a railroad, with as many tracks and cuttings as they may deem necessary, from any point or points on the Schuylkill navigation company's landings, or from any point or points in the borough of Port Clinton, at or near said landings, and thence in a westwardly direction not exceeding ten miles in length, with the privilege of connecting with any other railroad or canal now constructed, or with any road hereafter constructed. Route.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

PROVED—The twentieth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 602.

AN ACT

To incorporate the Duncannon, Landisburg, and Broad Top Railroad Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles W. Fisher, John Souder, Abraham L. Bowman, David Mickey, Jacob Billow, Henry H. Fetter, Christian Thudium, Doctor James Galbraith, General Henry Fetter, David Kochenderfer, Jacob Bixler, George Hench, William B. Anderson, Samuel Milligan, Arnold A. Fahs, George Johnston, William Kirk, Colonel George Noss and Alexander Blair, of Perry, Juniata, and adjoining counties, in Pennsylvania, with privilege to increase their number to thirty, be and the same are hereby appointed commissioners under the provisions of an act, entitled: "An act regulating railroad companies," passed the nineteenth day of February, one thousand eight hundred and forty-nine with all the powers conferred by said act.

style. SECTION 2. That the name, style and title of the company hereby authorized to be incorporated, shall be The Duncannon, Landisburg, and Broad Top railroad company.

Route. SECTION 3. That the said company, when duly organized, is hereby authorized to locate, construct and operate, under the provisions of said act, a railroad, running from a point at the Pennsylvania railroad, at or near Duncannon, in Perry county, to a point at Broad Top mountain, in Bedford county, passing by way of Shurmansdale, Landisburg, Bixler's mills, in Perry county, and Waterford, Juniata county.

Capital stock. SECTION 4. That the capital stock of the said company is hereby authorized to consist of eight hundred thousand dollars, and it shall be lawful for the said company, upon a vote of the stockholders, at any stated or special meeting convened for that purpose, to increase the capital stock to any amount sufficient to complete the road.

Connection. SECTION 5. That the company be and are hereby authorized to connect their road at Duncannon with the Pennsylvania railroad.

Commencement and completion. SECTION 6. That the term within which said company shall complete and open said railroad for use, shall be four years from the date of the passage of this act.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 603.

A N A C T

to annul the marriage contract between A. M. Adams and Virginia Adams.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between A. M. Adams and Virginia Adams, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract and from all duties and obligations arising therefrom, as if they had never been joined in marriage.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 604.

A N A C T

relative to the collection of the School Tax in Young township, Jefferson county, for the year one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the school treasurer of Young township school district, in the county of Jefferson, to collect the school tax for the year one thousand eight hundred and fifty, as made out in the duplicate for said year: *Provided however,* That before proceeding to the collection of the same, the said school treasurer shall give notice at least one month, by written or printed hand-bills stuck up through the township, notifying the taxable inhabitants to meet the school treasurer on a day certain to pay off the amount of taxes against them, and in default of their appearing it shall be lawful for the said school treasurer to proceed to collect the same before a justice of the peace as debts of like amount are collected.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The thirteenth day of June, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

How assent of
townships ascer-
tained.

SECTION 2. That the assent of the said townships, or any of them, shall be had and ascertained by an election held at some suitable place along the line of said road in each township respectively, of which time and place of holding such election or elections the managers of said turnpike road shall give at least ten days' public notice, by at least ten printed hand-bills, put up in the most public places in said townships respectively; the said elections to be held and conducted by the supervisors of the respective districts through which said road passes, who shall call to his aid two qualified citizens, residents of said district, to act as judges of said elections; the said judges, after counting the votes polled, shall certify the same under oath of affirmation to the court of quarter sessions of the counties of Montgomery or Berks, wherein such road lies, and if a majority of all the votes present shall decide in favor of such subscription, the said townships or either of them so deciding shall be taken and held liable for said subscriptions to said company; and the supervisors of said townships are thereupon hereby authorized and required to subscribe for the same agreeably to the first section of this act.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER

No. 608.

AN ACT

Relative to a Tax on Dogs in Schuylkill township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first, second, third and fourth sections of the act of assembly, entitled "An Act levying a tax on dogs, in the county of Chester," et cetera, approved the eleventh day of March, one thousand eight hundred and fifty, be and the same is hereby extended to the township of Schuylkill, in Chester county.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER

No. 609.

AN ACT

Relative to the Exonerations of Military Taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of the supplement to an act, entitled "An Act to revise the militia system," et cetera, approved April the thirteenth, one thousand eight hundred and fifty-three, is hereby suspended for one year, from the first Monday in December, one thousand eight hundred and fifty-three, and that the commissioners of the several counties are hereby authorized and empowered to exonerate collectors of the several townships herein, for uncollected military taxes, until the first Monday in December, one thousand eight hundred and fifty-four, the same as though the third section had not been passed, and that the exonerations heretofore made are hereby legalized.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 610.

A FURTHER SUPPLEMENT

To the act, entitled "An Act to incorporate the Ohio and Pennsylvania Railroad Company," approved April eleventh, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Ohio and Pennsylvania railroad company is hereby authorized to connect its railroad with the Pennsylvania canal and the Pennsylvania railroad, in the city of Pittsburg, by erecting its proposed bridge across the Allegheny river, alongside of the canal aqueduct now erected there: *Provided*, That the said railroad bridge shall be so erected as not in any way to interfere with the free use of the said aqueduct and not to diminish the

Connections.

Provided.

Proviso.

security and permanence of the same: *Provided further*, That if the road forming said connection shall be taken across the Allegheny river in juxtaposition with the state aqueduct, it shall be so worked as not to interfere with the proper use of said aqueduct; and said company shall not appropriate to their use any ground in the vicinity of the canal basin in the city of Pittsburgh, which may be necessary to the business of said canal; and no locomotive power shall be used on said bridge without the consent of the canal commissioners: *Provided further*, That the said Pennsylvania and Ohio railroad company shall not approach nearer, in constructing said road or bridge, to the lower or west side of the canal or aqueduct than two hundred feet at any point between the collector's office, in the city of Allegheny, and Liberty street, in the city of Pittsburgh, unless with the assent of the canal commissioners: *And provided further*, That if said company shall occupy any portion of the piers and abutments of the aqueduct, they shall pay to the commonwealth whatever amount may be saved to the company by such occupancy.

Proviso.

Crossing of river.

SECTION 2. That in case it should be determined by the said company to extend its railroad across the Allegheny river and into the city of Pittsburgh, by a route below the aqueduct and over the bridge now erected at Hand street, or over the lower bridge at Saint Clair street, it shall and may be lawful for the said company and the company owning either of the said bridges to agree upon the terms and conditions of such crossing, and to re-build either of the said bridges for the said purpose: *Provided*, That no higher rates of toll shall ever be charged for crossing such bridge than those now authorized by law.

Mode of appropriating certain ground.

SECTION 3. That if the said company shall find it necessary to occupy or appropriate for the purposes of its road any portion of the common ground in the city of Allegheny, it shall not be necessary in their instrument of appropriation, or any of the proceedings connected therewith, to indicate the names of the lot holders in the said city who may be interested therein, or to serve upon the said lot holders any copy of the instrument of appropriation; but the said company shall in lieu thereof give such notice by publication as is prescribed by its charter in cases where the parties are unknown or do not reside within the county; and if any person or persons owning lots or parts of lots in the said city and claiming a right of common pasture in the said common grounds, or appurtenant thereto, shall consider themselves aggrieved by the said appropriation, it shall be lawful for them to apply, within one year, to the court of common pleas of the proper county, by petition in writing; whereupon the like proceedings shall be had for the appraisal of damages sustained by such petitioner or petitioners as are prescribed in other cases: *Provided however*, That it shall be lawful for the said company to enter upon and take possession of the grounds so appropriated upon giving security, to be approved by the said court, in a bond to the commonwealth, for the use of the parties interested in the said common ground, conditioned for the payment of all such damages as may be assessed to any of the said commoners or others interested therein and petitioning as aforesaid: *Provided further*, That said company shall not occupy or appropriate to its use any portion of said common ground except so much as may be necessary for the bed of the road which may be constructed to effect said connection.

Proviso.

Proviso.

by the best and most practicable route, not exceeding fifty feet in width.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

APPENDIX—1855.

No. 611.

SUPPLEMENT

To the act incorporating the Erie County Mutual Insurance Company.

Certain acts made
perpetual.Premiums, how
secured.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the original act incorporating the Erie County mutual insurance company, passed the twenty-sixth day of March, Anno Domini one thousand eight hundred and thirty-nine, together with the several supplements thereto, with the exception or alteration hereinafter mentioned, are hereby extended and made perpetual.

SECTION 2. That it shall be lawful for the directors of said company to take, at their option, a promissory judgment note, or a common promissory note, for such sum of money as shall be determined by them, as provided for in the sixth section of the act incorporating said company, and to require the immediate payment of any part of said note not exceeding one-third part of the amount thereof.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The ninth day of February, one thousand eight hundred and fifty-five.

JAMES POLLOCK

No. 612.

AN ACT

To incorporate the Somerset County Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Joseph J. Stattman, Jonas Keim, Michael Hay, M. A. Ross, Daniel Augustine, Thos. Liston, Emanuel Lichty, C. M. Hicks, Peter Meyers, Solomon Engle, John R. Brinham, Jacob Cook, John Fichtner, Daniel Bowman, Jacob Hoon, John Rauch, John A. Buechley, H. L. Holbrook, John Knable, John Hicks, John Thorpenning, Ross Forward, Cyrus Benford, Wm. J. Baer, John D. Roddy, Wm. H. Picking, David Levan, Abr'm Beam, Josiah Snyder, Michael Zimmerman, Daniel P. Walker, Charles Stoner, Samuel Philson, John H. Snyder, Edmund Kiernan, Valentine Miller, Christian Miller, Sam'l S. Benson, Peter Levy, and Isaac Kaufman, and all other persons who may hereafter associate with them, in the manner hereafter prescribed, shall be a body politic and corporate, by the name of The Somerset County mutual fire insurance company, and by that name shall have perpetual succession, and may sue and be sued, and hold, purchase, receive and convey real and personal estate, (with the limitations hereinafter prescribed or specified,) and may have and use a common seal, and alter or change the same at pleasure, and make by-laws, not inconsistent with any existing laws, or the management of its property, and the regulation of its affairs; but nothing herein contained shall be construed to give unto the said corporation any banking powers or privileges.

SECTION 2. That in addition to the general powers or privileges of a corporation, as the same are declared by the foregoing section, the corporation hereby created shall have the power to assure against losses by fire upon any house, tenement, barn, manufactory, store, warehouse, or other building, and on goods, wares, merchandise and effects, hay, grain, and other agricultural products, contained therein or upon the land, or in stacks, sheds, out-houses, or otherwise, and upon buildings generally, and to make, execute and perfect such and so many contracts, bargains, agreements, policies, and other instruments, as shall or may be necessary, and as the nature of the case may require.

SECTION 3. That all property that shall be insured in said company, may be divided by the directors thereof in two or more distinct classes; in the first class may be insured the less hazardous description of property, and be called the farmers' class, and in the second may be insured the more hazardous description of property, and be called the merchants' class; the policy of each member shall designate the class of risk with which he is associated, and the cash premiums and deposit note of each class, and the assessments for which members may become liable, shall be held and assessed to pay the losses occurring in the respective classes to which they belong and no other, and the general expenses of the company shall be apportioned to each class, according to the amount insured in each.

SECTION 4. That the real estate which it shall be lawful for the said corporation to purchase, receive, hold and convey, shall be:

I. Such as may be requisite for its immediate accommodation in the convenient transaction of its business; or

II. Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted, or for moneys due; or

III. Such as shall have been conveyed to it in satisfaction of debts previously contracted, or in the course of its dealings; or

IV. Such as shall be purchased at sales upon judgments, decrees, or mortgages, obtained or made for debts due said com-

pany, or for debts due other persons where said company have liens or incumbrances on the same, and the purchase is deemed necessary to save the company from loss on the liens or incumbrances held by it; and said corporation shall not purchase, receive, hold or convey real estate in any other case or for any other purpose: *Provided*, That no real estate acquired by the said corporation, excepting that requisite for the transaction of its business, shall be retained by said corporation for a longer period than seven years.

Membership.

SECTION 5. That all persons who shall hereafter become insured in the said corporation, and also their heirs, executors, administrators and assigns continuing to be insured in said corporation, as hereinafter provided, shall thereby become members for and during the period they shall remain so insured, and no longer.

Directors.

SECTION 6. That the affairs of said company shall be managed by a board of directors, consisting of not less than seven nor more than thirteen, as hereinafter provided, and all vacancies happening in said board, or in either of the offices of said company, may be filled by the remaining directors for the remainder of the year for which they were elected, and a majority of the whole shall constitute a quorum for the transaction of business.

Vacancies.

Rates of insurance.

SECTION 7. That the rates of insurance shall be from time to time fixed and regulated by the directors of the company, and premium notes therefor shall be received from the insured, which shall be paid at such time or times, and in such sum or sums, as the corporation shall from time to time require, and any person applying for insurance shall pay a cash premium in addition to a premium note, or a definite sum in money, to be fixed by said corporation, in full for said insurance, and in lieu of a premium note.

Organization.

SECTION 8. That the persons named in the first section of this act, or a majority of them, shall meet in Somerset, Pennsylvania, within thirty days after this law shall be approved by the governor, and in pursuance of due notice given in at least two papers printed at Somerset, fixing the time and place of such meeting, and shall elect by ballot a board of directors, a president, secretary, and such other officers as shall be deemed expedient, to serve until the fourth Tuesday in April, one thousand eight hundred and fifty-six, on which said day they shall hold an election for directors and other officers, to serve for the term of one year, and an election shall be held on the said fourth Tuesday of each year thereafter, for officers to manage the affairs of said company.

Elections.

SECTION 9. That if it shall at any time happen that an election of president, secretary or directors, shall not be made on any day when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of directors and other officers, after full notice shall have been given for at least ten days previous, of the time and place of said election.

Annual statement.

SECTION 10. That within thirty days after the annual meeting for the election of officers and directors, it shall be the duty of the secretary of the corporation to cause to be made and published in one or more newspapers published in Somerset, a statement of the affairs of the corporation, the amount of premiums and interest received, the amount of expenses and losses

during the year in each respective class, the amount of risks in each class, the dividends paid, and a general balance statement of the affairs of the corporation.

SECTION 11. That the operations and business of the said corporation shall be carried on and conducted at Somerset, Pennsylvania. Operations.

SECTION 12. That if it should ever happen that the cash premiums, with interest accrued thereon with said company, paid or deposited as aforesaid, shall not be sufficient to pay all the losses by fire and other expenses, then and in such case assessments shall be made on the deposit note, and paid to said company, in proportion to the amount of said note, and suits at law may be maintained by said corporation against any of its members for the collection of said deposit notes, or any assessments thereon, or for any other cause relating to the business of said corporation; or if there should be an excess of funds, the directors may declare a dividend to each member, apportioned to the amount originally paid; also, suits at law may be prosecuted and maintained by any member against said corporation, for losses or damage by fire, if payment is withheld more than four months after the company are duly notified of such losses, and no member of the said corporation not being in his individual capacity a party to such suit, shall be incompetent as a witness in any such cause on account of his being a member of said company. Assessments.
Dividends.

SECTION 13. That it shall be lawful for the said corporation to invest their premium profits and capital in bonds, mortgages, ground rents, stocks, and loans of the United States and state of Pennsylvania, and other good securities, and to sell, transfer and change the same, and re-invest the funds of the said corporation, when the directors shall deem it expedient. Investment of funds.

SECTION 14. That the directors may determine the rates and terms of insurance, and limit the amount to be insured. Insurance.

SECTION 15. That in case any assured named in any policy of insurance made by said corporation, shall sell, convey, or assign the subject insured, it shall be lawful for such assured to assign the same, within thirty days after such assignment, sale or conveyance: *Provided*, That before any loss shall have happened, the president or secretary of the corporation shall, under his proper signature, within five days after the assignment is transmitted, endorse or annex to such policy of insurance his approval of such assignment, to be according to the established regulations for that purpose, and not otherwise. Transfers of policies.

SECTION 16. That the legislature may at any time alter or repeal this act, in such manner, however, as shall do no injustice to the corporators, or wrongfully affect any contract or engagement made by the said corporation. Reservation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of July, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 613.

AN ACT

To authorize the Governor to incorporate a company to erect a Bridge over the Youghiogheny river, at a point between the middle of M'Millin's Island and Taylor's Forcing, in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of erecting a bridge over the Youghiogheny river, at a suitable point between the middle of M'Millin's island and Taylor's fording, in Fayette county, Stewart Strickler, Joseph Hair, George Dawson, Mordecai Cochran, A. M. Hill, James Wade, or a majority of them, be and the same are hereby appointed commissioners to do and perform the several duties hereinafter mentioned; that is to say, they shall on or before the first Monday of October next, procure a book or books, and enter therein as follows: We, whose names are hereunto subscribed, do promise to pay to the president, managers and company to erect a bridge over the Youghiogheny river, at any point between the middle of M'Millin's island and Taylor's fording, in the county of Fayette, for the use of said company, the sum of ten dollars for each share of stock set opposite our names respectively, in such manner and proportions, and at such times and places as shall be determined by the president and board of managers, in pursuance of an act of the general assembly of this commonwealth, entitled "An Act authorizing the governor to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the middle of M'Millin's island and Taylor's fording, in the county of Fayette;" witness our hands this day of , one thousand eight hundred and fifty- ; and shall thereupon give notice in two newspapers in Fayette county, for three weeks at least, of the time and places, when and where such book or books shall be opened to receive subscriptions for the stock of said company, at which time and places some one or more of the said commissioners shall attend, and shall keep open said book or books, at least six hours in every day, for at least two successive days, if so many shall be necessary, and allow any one above the age of twenty-one years to subscribe therein in his own name, or in the name or names of any other person or persons by whom he shall be authorized to do so, for any number of shares of said stock, until eight hundred shares shall be subscribed, when the books shall be closed; but if the whole number of shares shall not be subscribed, the said commissioners may adjourn to such time and places as they shall think necessary to receive subscriptions as aforesaid, and give such further notice as they shall think proper, and when the subscription shall amount to eight hundred shares, as aforesaid, the books shall be closed: *Provided,* That every person offering to subscribe in such book or books, in his own name or in the name of any other person, shall at the time of subscribing, pay to the attending commissioner or commissioners, two dollars on every share subscribed, out of which shall be defrayed

he expenses of taking such subscription, and other incidental charges, and the remainder, if any there be, shall be paid over to the treasurer of the corporation as soon as the same shall be organized, and the officers thereof chosen as hereinafter directed, such first payment on each share to be taken and considered as part payment on each share subscribed.

SECTION 2. That as soon as one hundred shares shall have been subscribed, the said commissioners or a majority of them may certify the same, together with a list of the subscribers and the shares subscribed by each, in writing to the governor, who hereupon shall constitute the said subscribers, and also those who may in future subscribe under the provisions of this act, a body corporate or politic, by the name and style of The president, managers and company of the Youghioghny bridge, and by the said name the subscribers shall have perpetual succession, and shall be capable of holding their capital stock and the increase and profits thereof, and enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement be thought necessary to fulfil the intent and meaning of this act, and of purchasing and holding to them and their successors and assigns, and of selling, transferring and conveying in fee simple or any less estate, all such lands, tenements, hereditaments and estates, real, personal and mixed, as shall be necessary to them in the prosecution of their work, and of suing and being sued, and of doing all and every thing which a body politic and corporate may lawfully do.

Letters patent.

Style.

Privileges.

SECTION 3. That any three persons named in the letters patent of incorporation, shall as soon as conveniently may be after the sealing of the same, give notice in one newspaper printed in Fayette county, of a time and place to be appointed, not less than thirty days from the time of giving said notice, at which time and place the said subscribers shall proceed to organize the corporation, and shall choose by a majority of votes of the said subscribers present, by ballot, to be delivered either in person or by proxy duly authorized, one president and three managers, and one person for secretary and treasurer, and such other officers as they may think necessary to conduct the business of the company during one year and until other officers be chosen, and shall have power to make such by-laws, rules and regulations not inconsistent with the constitution and laws of this state, or of the United States, as may be necessary for the well ordering the affairs of the company: *Provided*, That no stockholder shall have more than one vote for each share not exceeding five shares, and one vote for every two shares above five and not exceeding eleven, and one vote for every three shares above eleven and not exceeding twenty shares, and one vote for every five shares above twenty: *Provided also*, That no person shall have more than twenty votes at any election, in determining any question arising at such meetings, whatever number of shares he may have subscribed.

Organisation.

Proviso.

SECTION 4. That a public meeting of said stockholders shall be held on the first Monday in June next following the first election had as aforesaid, and on the first Monday in January in every succeeding year, at such place as shall be fixed by the rules and orders of the said company, for the purpose of choosing officers for the ensuing year, and the determination of any question affecting the interest of said company.

Meetings of stockholders.

Certificates of
stock.

SECTION 5. That the president and managers shall procure certificates for all the shares of stock in said company, which shall be signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, and each subscriber shall be entitled to one such certificate for each share by him subscribed for, on paying to the treasurer, in part of the sum due thereon, two dollars on each share, which certificate shall be transferable either by the owner in person, or by his attorney duly authorized, in presence of the president or of the treasurer for the time being, subject however to the payments due or that may become due thereon; and the person to whom such transfer shall be made, shall stand in the place of the former holder of the certificate, and be entitled to the same privileges in the company.

Quorum.

SECTION 6. That the president and managers shall meet at such times and places, and shall be convened in such manner as shall be agreed on for transacting the business of the company; at which meeting a majority shall be a quorum, who in the absence of the president shall choose a chairman pro tempore, and shall keep minutes of their proceedings fairly entered in a book, to be kept for that purpose, and a quorum being met, they shall have full power and authority to appoint such engineers, assistants and workmen as they shall deem necessary to the erection of said bridge, and they shall fix their salaries and wages; they shall also have power to make contracts, to ascertain the times, manner and proportions in which the stockholders shall pay the money due on their respective shares, draw orders on the treasurer for the money necessary to pay salaries, wages and bills for work done and labor performed, or materials furnished, which orders shall signed by the president, or in his absence by a majority of the quorum, and countersigned by their clerk, and to do and transact all such other matters and things as by this act, or by the by-laws of the company shall be committed to them.

Minutes.

Payment of stock.

SECTION 7. That if any stockholder, after thirty days' notice in the manner aforesaid, of the time and places appointed for the payment of any proportion, dividend or instalment of said capital stock still due on each share, shall neglect to pay the same for the space of thirty days after the day whereon the same shall be appointed to be paid, every such stockholder shall, in addition to the instalment so called for, pay at the rate of two per centum per month for every delay of such payment; and if the same and the said additional penalties shall remain unpaid so long that the accumulated penalties shall become equal to the sum already paid on such share, the same shall be forfeited to the company, and may be sold under the direction of the president and managers, or a majority of a quorum of them, at any of their meetings for transacting the business of the company, the order for that purpose being first entered in the minute book by the clerk of such meeting.

Purchase of land.

SECTION 8. That before the president and managers of the company aforesaid shall proceed to build said bridge, it shall and may be lawful for them to contract with the owner or owners of any land, for the purchase of so much thereof as shall be necessary for the purpose of erecting and completing said bridge, and making all the necessary works and causeways to and from the same, if they can agree with the said owner or owners; but in case they cannot agree, then it shall and may

It shall be lawful for the said president and managers to apply to the court of common pleas of the proper county, who upon such application are hereby authorized and required to appoint three disinterested and discreet persons of such county, who after being duly sworn or affirmed, faithfully to perform the duties enjoined on them by this act, shall carefully proceed to view and examine so much of the said lands as shall be necessary for the purpose of erecting and completing the said bridge, and making all the necessary works and causeways to and from the same, and shall according to the best of their skill and judgment, estimate the value of the said lands, so necessary to be taken as aforesaid, and having estimated the advantages as well as disadvantages which may be sustained by the owner or owners of such lands, shall make an appraisement thereof in writing, and the same shall return, together with a map or draft describing the bounds of such lands to said court of common pleas; and the said appraisement having been approved by the court, shall be filed in the prothonotary's office, together with the said map or draft, and the said president, managers and company, having paid to the said owners respectively the several sums awarded to be paid to them, together with the costs of appraisement, after the same shall have been confirmed by the court, the said corporation shall be entitled to have and to hold, to them, their successors and assigns; the said lands, as fully as if they had been conveyed by their respective owners: *Provided*, That said appraisement shall be held to be confirmed by the court of common pleas, unless exceptions be filed by either party, within ten days after the same shall have been approved by the court, and filed.

Viewers.

Damages.

SECTION 9. That it shall be lawful for the president and managers, their superintendents, engineers and workmen, to enter on lands and enclosures near the place where the bridge is to be built, for the examination and location of the same, and to cut and carry away any timber, or dig gravel, quarry stone, or gather sand, necessary for building said bridge; also to enter thereon with wagons, carts, sleds, sleighs, or beasts of burden or draft, and to take and carry off any material necessary in the construction of said bridge, doing as little damage as possible and making amends for any damage that may be done, or giving security for the payment of the same; and if the parties cannot agree upon the amount of damages that may be done, said damages shall be assessed as road damages are now by law assessed; and when viewers, appointed according to the laws relative to road damages, assess and report damages in favor of the owner or owners of such lands and enclosures, the said president and managers shall pay such damages so assessed, together with all the costs of such view; and in case of the refusal of said president and managers to pay the same, the court in which said report of views was filed shall enforce payment thereof by execution, attachment or sequestration: *Provided*, That the said bridge shall be so constructed as not to interfere with the free navigation of said river.

Entry on lands to locate bridge, &c.

SECTION 10. That the president and managers of said company shall keep fair and just accounts of all moneys received by them from the subscribers to the capital stock of said company, for all penalties for delay in payment thereof, and of the amount of the profits, or shares which may be forfeited as aforesaid, of all voluntary contributions and of all moneys expended

Accounts to be kept.

by them in the prosecution of the said work, and shall once in every year submit such accounts, in detail, to a general meeting of the stockholders, until the said bridge be completed; and all expenses incurred in erecting the same shall be fully paid and discharged, and the aggregate amount of all such expenses shall be liquidated and ascertained, and if in such liquidation, or whenever the whole capital stock of the said company be nearly expended, it shall be found that the capital stock will not be sufficient to complete said bridge according to the true intent and meaning of this act, it shall be lawful for the said company, at a stated or special meeting, to be convened according to the provisions of this act or their own by-laws, to increase the number of shares to such an extent as shall be deemed sufficient to accomplish the work, and to demand and receive the moneys subscribed on such shares in like manner and under like penalties as are herein provided for the original subscription, which additional shares shall entitle the holder to the same rights and privileges as those originally subscribed for.

And submitted to stockholders.

May increase capital.

May put down railway.

SECTION 11. That the said company may, if they shall deem it expedient for the purpose of affording a connection with any coal way or other railroad, on either side of said river, lay, or cause to be laid, a single or double track for the passage of coal, burthen or passenger cars across on said bridge, in such manner, however, as not materially to obstruct the passage of other travel, said railroad cars to be subject to such reasonable toll as a majority of said directors shall agree upon with any person or company who may wish to use said track; or if the parties shall not agree, then any stockholder wishing to form such connection by laying down such track over said bridge, at his own expense, shall have the right to do so, the compensation to be paid by him to the said bridge company; if they cannot agree to be left to three disinterested persons to be mutually chosen by the parties, which shall be final and conclusive.

Tolls.

SECTION 12. That when the said company shall have erected and completed a bridge over the Youghiogheny river at the place aforesaid, the property thereof shall be vested in the said company, their successors or assigns, and the said company, their successors or assigns, are hereby empowered to erect gates and to demand and receive tolls for crossing said bridge at such rates as the president and managers shall from time to time determine: *Provided*, They shall cause to be put up and kept in some conspicuous place at the gates of said bridge, a list of the rates of toll.

Penalty for taking illegal tolls.

SECTION 13. That if the said company, their successors or assigns, or any person employed for them, shall collect or demand any greater rate or prices for passing over said bridge than what is prescribed in the list of tolls put up at the gate, as aforesaid, or neglect to keep said bridge in repair, he or they shall forfeit for every such offence the sum of ten dollars, to be recovered as debts of a similar amount are recovered, one-half to be paid to the county and the other half to the person who may sue for the same.

Account of tolls.

SECTION 14. That the said president and managers and company shall keep a just account of all moneys received by their several collectors of tolls for crossing the said bridge, and after deducting all contingent costs and charges, and such proportion of the income as may be sufficient for a fund to provide against the decay, the repairing and re-building of the said bridge that time

and accident may render necessary, they shall declare and make a dividend of the balance, and shall semi-annually, on the first week of January and June, publish the dividend to be made of the clear profits arising from the tolls, as aforesaid, among the stockholders, and the time and place when and where the same shall be paid, and shall cause the same to be paid accordingly in ten days thereafter, or as soon as the same shall be demanded after the said ten days have expired. Dividends.

SECTION 15. That if any person or persons shall wilfully pull down, break or destroy, with intent to injure any part or parts of the said bridge, or any toll house, gates, bars, or other property of the said corporation, erected for the use of said bridge or the persons employed in conducting the business thereof, or shall wilfully deform or destroy the letters or figures in any list of the rates of tolls affixed in any place for the information of passengers, or shall wilfully or maliciously obstruct or impede the passage in or over the said bridge, or any part or parts thereof, he, she or they so offending shall each of them forfeit and pay, for each and every such offence to the said company, the sum of ten dollars, to be recovered as other debts of a like amount are recoverable; and if any person shall be guilty of carrying any lighted segar or pipe, or of carrying fire in any manner whatsoever over said bridge, except in a lantern or in some vessel secured so that the probability of setting fire to said bridge shall be fully prevented, or shall discharge any pistol or gun or any fire arms on or near said bridge, he, she or they so offending shall forfeit and pay to the said company the sum of five dollars each, with all other damages sustained to said bridge, for every such offence, to be recovered as aforesaid; or if any person or persons shall ride or drive his or their horse or horses on or over said bridge in a faster gait than a walk, he, she or they so offending shall forfeit and pay to the said company the sum of five dollars for every such offence, to be recovered in like manner as aforesaid; but no suit shall be brought for any of the aforesaid offences unless commenced within thirty days after it shall be known who committed said offence, and he or they so offending shall remain liable to action at the suit of said president, managers and company for such wrongs, if the sums herein mentioned be not sufficient to repair and satisfy said damage. Penalty for injury to bridge, &c.

SECTION 16. That if the president, managers and company for erecting the bridge aforesaid shall not proceed to carry on said work within the space of five years from the passage of this act, and shall not within the space of eight years thereafter complete the same, the rights and privileges hereby granted to the said company shall revert to the commonwealth. Limitation.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 614.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Allentown Railroad Company," approved April nineteenth, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time limited by the fifth section of the act, entitled "An Act to incorporate the Allentown railroad company," passed and approved April nineteenth, one thousand eight hundred and fifty-three, be and the same is hereby extended for the further period of two years for commencing the said work, and the further period of two years for completing the same, beyond the time specified in said act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 615.

SUPPLEMENT

To the act, entitled "An Act to incorporate the South Mountain Railroad Company," approved the fifth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That to enable the company to complete their improvement they may borrow money or issue bonds or certificates of loan, and dispose of the same in such manner and at such prices as they may think proper or expedient, and that the provisions of the eleventh section of an act, entitled "An Act to incorporate Liberty fire company of Holmesburg, in the county of Philadelphia," approved the twenty-sixth day of July, one thousand eight hundred forty-two, which authorizes railroad or canal companies to borrow money at any rates exceeding six per centum per annum, be and the same shall be extended to the South Mountain railroad company: *Provided,* That the bonds or certificates of loan shall not be of a less denomination than one hundred dollars;

May borrow money.

Provided.

and if said company should make a loan or purchase iron for their road on credit, they are hereby authorized to secure the payment of the same by executing a bond or mortgage, or both, to the person or persons lending the same, upon the railroad, including the said road, together with all the rights, privileges and franchises connected with the same, which mortgage shall be executed by the president of the company by virtue of a resolution of the board in conjunction with this act.

SECTION 2. That all subscriptions to the capital stock of said company shall be deemed and taken to be valid and effectual, notwithstanding five dollars was not paid on each and every share at the time the share was subscribed, and notwithstanding that or any other informality in the manner of subscription to the capital stock or organization of the said company; and all subscriptions to the capital stock of the said company hereafter subscribed, shall be deemed and taken as good and valid. Subscriptions validated.

SECTION 3. That the said company, if they think it expedient, may pay interest on all pay interest to the several stockholders at the rate of six per centum per annum on all instalments from the time the same was paid in until the completion of the road, but in no case shall interest be paid to any stockholder who is in arrears on his instalments. May pay interest to stockholders.

SECTION 4. That the said company shall have power to connect their railroad with the Reading and Philadelphia railroad, or near the town of Hamburg, and that the name, style and name of the South Mountain railroad company shall hereafter be styled and known by the name and title of the Harrisburg and Hamburg railroad company: *Provided*, That Rehrersburg, named in the bill to which this is a supplement as a point on the route of the said road, be and the same is hereby stricken. May connect with Reading road.
Name changed.
Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 616.

AN ACT

To incorporate the Philadelphia and Norristown Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Colket, B. F. Vandyke, George P. Henszey, P. A. Rick-

Corporators.	ards, H. K. B. Ogle, of the city of Philadelphia; Henry Freedly, Thomas Saurman, John M'Dermott, John Wood, Patrick Flynn, Daniel R. Brower, Robert Iredell, G. R. Fox, John M'Kay, David Krause, B. E. Chain, George Shannon, Henry C. Hill, J. G. Ralston, of the county of Montgomery, and such others as are now or may hereafter be associated with them, be and they are hereby constituted a body politic and corporate in deed and in law, by the name, style and title of The Philadelphia and Norristown telegraph company, and by that name to have perpetual succession, to sue and be sued, plead and be impleaded, to have a common seal, and the same to alter or renew at pleasure, to make such by-laws as may be necessary and proper for the regulation of their affairs, and to acquire and hold real estate, the annual value of which shall not exceed one thousand dollars, and to dispose of the same at pleasure.
Style	
By-laws.	
May purchase.	SECTION 2. That the said company shall have power to purchase the House line of printing telegraph, lately constructed, from Philadelphia through Manayunk and Conshohocken to Norristown, with the patent right to use the same, and all the instruments, machinery, stationary property, fixtures, rights and appurtenances thereunto belonging, and to hold and maintain the same, and to carry on the business of telegraphing over said line; the capital stock of the company shall be six thousand dollars, to be divided into shares of twenty-five dollars each, and the said company shall have power at any time hereafter to extend the said line of telegraph to Reading and Pottsville, by such route as they may deem best, and for that purpose to increase their capital stock to any sum not exceeding thirty thousand dollars: <i>Provided</i> , That such extension of the line and increase of capital shall be approved and authorized by a majority of at least two-thirds of the stockholders.
Capital stock.	
Proviso.	
Penalty for injuring line.	SECTION 3. That any person who shall intentionally injure, molest, or destroy any part of said line, or any of the property of said company, shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not exceeding five hundred dollars, or imprisoned in the county jail not exceeding one year, or both, at the discretion of the court of quarter sessions of the proper county before which the said offender shall be tried.
Transmission of despatches.	SECTION 4. That it shall be the duty of the officers of the said company to transmit all despatches in the order in which they are received, under the penalty of fifty dollars, to be recovered with costs of suit, by the person whose despatch is postponed out of its order, as debts of like amount are now by law recoverable: <i>Provided however</i> , That arrangements may be made with the proprietors or publishers of newspapers, for the transmission for the purpose of publication of intelligence of general and public interest out of its regular order.
Proviso.	
Penalty for divulging despatches.	SECTION 5. That if any officer, agent, operator or clerk of the said company, shall wilfully divulge to any person other than the party to whom the same is addressed, any message received or sent over the said line, or any part of it, or the contents, substance, purport, effect or meaning of such message, to the injury of the person sending or receiving the same, such officer, agent, operator or clerk, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than five dollars nor more than five hundred dollars, at the discretion of the court

of quarter sessions of the proper county before which the said offender shall be tried.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 617.

AN ACT

To authorize the Governor to incorporate a Company to erect a Bridge across Juniata river, near Thompsonstown, Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Thompson, Solomon Sieber, Samuel M. Kurtz, Thomas Stinson, John S. M'Curdy, W. S. Thompson, J. S. Lukens, Matthias Benner, E. D. Crawford and S. O. Evans, be and they are hereby appointed commissioners to do and perform the duties hereinafter mentioned, to wit: they shall as soon as convenient after the passage of this act, procure one or more books and enter therein as follows: we whose names are hereunto subscribed, promise to pay to the president, managers and company of the Thompsonstown bridge company, the sum of twenty-five dollars for every share of stock in said company set opposite our respective names, in such instalments and at such times as shall be required by the president and managers in pursuance of an act of assembly, entitled "An Act to authorize the governor to incorporate a company to erect a bridge across the Juniata river, at the canal bridge opposite Thompsonstown, in Juniata county," and shall thereupon proceed to receive subscriptions for the stock of said company, at such times and places as they shall think proper.

SECTION 2. That when ten or more persons shall have subscribed two hundred and fifty shares of the said stock, the said commissioners shall certify to the governor the names of the subscribers and the number of shares by them subscribed, and thereupon it shall be lawful for the governor by letters patent, under his hand and the seal of the commonwealth, to create and erect the said subscribers, their associates, successors and assigns into one body politic and corporate in deed and in law, by the name, style and title of the Thompsonstown bridge company, and by the same name, the said subscribers shall have perpetual succession and all the privileges and franchises incident to a corporation, and shall be capable of taking and hold-

Commissioners.

Duties.

Letters patent.

Style.

Privileges.

ing the said capital stock, and the increase and profits thereof, and enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the object and intent of this act, and of taking, purchasing and holding to them and their successors in fee simple or for any less estate, all such lands, tenements, hereditaments and estates real and personal, as shall be necessary in the prosecution of their work, and the same at pleasure to grant, bargain and sell, of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

Organisation.

SECTION 3. That the persons named in the letters patent to be issued as aforesaid, shall as soon as convenient after issuing the same, give notice in a newspaper published in the county of Juniata, of a time and place to be by them appointed, not less than twenty days from the time of publishing the first notice, at which time and place the said subscribers shall organize the said corporation, and shall choose by a majority of the votes of the said subscribers, by ballot, either in person or by proxy duly authorized, one president, six managers, one treasurer, and such other officers as they may deem necessary, to conduct the business of said company for one year, and until other officers shall be duly chosen, which said officers and their successors, shall have authority to make such by-laws, rules and regulations, as shall be necessary for the well ordering of the affairs of the company: *Provided*, That each stockholder shall be entitled to one vote for every share of stock held by such voter not exceeding ten shares, and one vote for every two shares of stock above ten shares: *And provided further*, That

Proviso.

Proviso.

no share shall confer a right of voting which shall have been transferred within one month prior to the day of election, nor unless it be bona fide held or owned by the person in whose name it appears, in his own right or that of his wife, or for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right or for the use and benefit of a co-partnership, society or corporation of which he or she may be a member, and all votes by proxy shall be on the terms and conditions prescribed by the act passed the twenty-eighth of March, Anno Domini one thousand eight hundred and twenty, entitled "An act to regulate proxies."

Annual election.

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SECTION 4. That an election shall be held annually on the first Monday of January, at such place as shall be directed by the president and managers, for the election of the officers hereinbefore provided to be elected.

Seal.

SECTION 5. That the corporation created by virtue of this act, shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure.

Certificates of stock.

SECTION 6. That certificates of stock shall be issued to the subscribers, by the president and countersigned by the treasurer, and sealed with the seal of the corporation, which certificates shall be transferable at the pleasure of the owner, in person or by attorney, in the presence of the president or treasurer.

Quorum.

SECTION 7. That the president and managers shall meet at such times and places as they shall agree upon, any five of whom shall constitute a quorum for the transaction of business; in the absence of the president a president pro tempore shall be

chosen; minutes of all the transactions of the said president and managers shall be entered in a book, to be kept for that purpose.

SECTION 8. That the said president and managers, or a quorum thereof, shall have full power and authority to agree with and appoint such engineers, superintendents, artists, and other officers, as they shall deem necessary to conduct the business of the company, to agree upon the salaries and wages of the persons employed, to direct the times and proportions in which the stock subscribed shall be paid, to draw orders on the treasurer for all moneys payable by the company, which orders shall be signed by the president and countersigned by the secretary of the board, and to do and perform all other matters and things necessary for carrying fully into effect the true intent and meaning of this act. Officers.

SECTION 9. That if after thirty days' notice in any newspaper in the county of Juniata, of the time and place for the payment of any proportion or instalment of the said stock, any stockholder shall neglect to pay such proportion or instalment, at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, or his assignees, shall, in addition to such instalment, pay at the rate of two per centum per month for delay of such payment, and the said president and managers may declare any stock forfeited to the use of the company, upon which any instalment shall remain unpaid for the space of six months after the time appointed for the payment thereof, and such forfeited stock may be sold and transferred by the said president and managers, for the benefit of the company, to any person or persons who will purchase the same; or in default of payment by any stockholder of any instalment as aforesaid, the president and managers may at their election, cause suit to be brought, before any justice of the peace or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided*, That no stockholder, whether an original subscriber or assignee, shall be entitled to vote at any election or general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previously to the election or meeting. Stock, how paid.

SECTION 10. That the president and managers of the said company shall demand and require of and from the treasurer, and may demand and require of and from all and every other the officers and other persons by them employed, bonds in sufficient penalties, and with one or more sureties for the faithful discharge of the several duties and trusts to them respectively committed. Bonds.

SECTION 11. That fair and just accounts shall be kept of all moneys received by the said commissioners from the subscribers of stock to said company, and by the president, managers and treasurer after the organization of said company, of all moneys received on account of any share or shares, and of all penalties for delay in payment of stock, and of the amount of profits or shares that may be forfeited as aforesaid, and also of all moneys by them expended in the prosecution of said work, and shall at least once in every year submit the said accounts to a general meeting of the stockholders. Accounts.

SECTION 12. That when the said bridge shall have been completed, the property thereof shall be vested in the said company,

ing the said capital stock, and the increase and profits thereof, and enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the object and intent of this act, and of taking, purchasing and holding to them and their successors in fee simple or for any less estate, all such lands, tenements, hereditaments and estates real and personal, as shall be necessary in the prosecution of their work, and the same at pleasure to grant, bargain and sell, of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

Organisation.

SECTION 3. That the persons named in the letters patent to be issued as aforesaid, shall as soon as convenient after issuing the same, give notice in a newspaper published in the county of Juniata, of a time and place to be by them appointed, not less than twenty days from the time of publishing the first notice, at which time and place the said subscribers shall organize the said corporation, and shall choose by a majority of the votes of the said subscribers, by ballot, either in person or by proxy duly authorized, one president, six managers, one treasurer, and such other officers as they may deem necessary, to conduct the business of said company for one year, and until other officers shall be duly chosen, which said officers and their successors, shall have authority to make such by-laws, rules and regulations, as shall be necessary for the well ordering of the affairs of the company: *Provided*, That each stockholder

Proviso.

Proviso.

shall be entitled to one vote for every share of stock held by such voter not exceeding ten shares, and one vote for every two shares of stock above ten shares: *And provided further*, That no share shall confer a right of voting which shall have been transferred within one month prior to the day of election, nor unless it be bona fide held or owned by the person in whose name it appears, in his own right or that of his wife, or for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right or for the use and benefit of a co-partnership, society or corporation of which he or she may be a member, and all votes by proxy shall be on the terms and conditions prescribed by the act passed the twenty-eighth of March, Anno Domini one thousand eight hundred and twenty, entitled "An act to regulate proxies."

Annual election.

SECTION 4. That an election shall be held annually on the first Monday of January, at such place as shall be directed by the president and managers, for the election of the officers hereinbefore provided to be elected.

Seal.

SECTION 5. That the corporation created by virtue of this act, shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure.

Certificates of stock.

SECTION 6. That certificates of stock shall be issued to the subscribers, signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, which certificates shall be transferable at the pleasure of the owner, in person or by attorney, in the presence of the president or treasurer.

Quorum.

SECTION 7. That the president and managers shall meet at such times and places as they shall agree upon, any five of whom shall constitute a quorum for the transaction of business; in the absence of the president a president pro tempore shall be

chosen; minutes of all the transactions of the said president and managers shall be entered in a book, to be kept for that purpose.

SECTION 8. That the said president and managers, or a quorum thereof, shall have full power and authority to agree with and appoint such engineers, superintendents, artists, and other officers, as they shall deem necessary to conduct the business of the company, to agree upon the salaries and wages of the persons employed, to direct the times and proportions in which the stock subscribed shall be paid, to draw orders on the treasurer for all moneys payable by the company, which orders shall be signed by the president and countersigned by the secretary of the board, and to do and perform all other matters and things necessary for carrying fully into effect the true intent and meaning of this act. Officers.

SECTION 9. That if after thirty days' notice in any newspaper in the county of Juniata, of the time and place for the payment of any proportion or instalment of the said stock, any stockholder shall neglect to pay such proportion or instalment, at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, or his assignees, shall, in addition to such instalment, pay at the rate of two per centum per month for delay of such payment, and the said president and managers may declare any stock forfeited to the use of the company, upon which any instalment shall remain unpaid for the space of six months after the time appointed for the payment thereof, and such forfeited stock may be sold and transferred by the said president and managers, for the benefit of the company, to any person or persons who will purchase the same; or in default of payment by any stockholder of any instalment as aforesaid, the president and managers may at their election, cause suit to be brought, before any justice of the peace or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided*, That no stockholder, whether an original subscriber or assignee, shall be entitled to vote at any election or general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previously to the election or meeting. Stock, how paid.

SECTION 10. That the president and managers of the said company shall demand and require of and from the treasurer, and may demand and require of and from all and every other the officers and other persons by them employed, bonds in sufficient penalties, and with one or more sureties for the faithful discharge of the several duties and trusts to them respectively committed. Bonds.

SECTION 11. That fair and just accounts shall be kept of all moneys received by the said commissioners from the subscribers of stock to said company, and by the president, managers and treasurer after the organization of said company, of all moneys received on account of any share or shares, and of all penalties for delay in payment of stock, and of the amount of profits or shares that may be forfeited as aforesaid, and also of all moneys by them expended in the prosecution of said work, and shall at least once in every year submit the said accounts to a general meeting of the stockholders. Accounts.

SECTION 12. That when the said bridge shall have been completed, the property thereof shall be vested in the said company,

Tolls.

their successors and assigns, forever; and the said company, their successors and assigns, may demand and receive tolls from travelers and others not exceeding the following rates, to wit: for every carriage used for the purpose of trade or agriculture, having four wheels and drawn by four horses, fifty cents; every carriage for purpose of trade drawn by three horses, forty cents; for every such carriage drawn by two horses, thirty cents; for every carriage used for the purpose of personal accommodation or pleasure, having four wheels and drawn by four horses, fifty cents; for every carriage drawn by two horses, thirty cents; for every dearborn, wagon and buggy, and for every chair or other two wheeled carriage of pleasure, drawn by one horse, twenty cents; for every sleigh or sled drawn by four horses, fifty cents; for every sleigh or sled drawn by two horses, thirty cents; for every sleigh or sled drawn by one horse, twenty cents; every horse with a rider, twelve cents; every carriage drawn by oxen, or partly by horses and partly by oxen, to be rated in the proportion of two oxen for one horse; and in all cases a mule shall be rated the same as a horse; for every horse without a rider, six cents; for every score of sheep or swine, twenty cents; for every head of horned or muly cattle, six cents; and for every foot passenger, six cents: *Provided*, That every person going to or returning from a funeral, divine worship, elections, military trainings, and students or children attending any school or seminary of learning, shall, at all times, be exempt from the payment of tolls.

Illegal tolls.

SECTION 13. That if the said company shall demand or receive any greater rates or prices for passing over the said bridge than is hereinbefore prescribed and specified, or shall neglect to keep the said bridge in good repair, they shall forfeit and pay for every such excessive charge or neglect, the sum of ten dollars, to be recovered in an action *qui tam* before any justice of the peace or court of competent jurisdiction, one-half for the person who may sue for the same and the other half for the use of the poor of the township of Delaware, in Juniata county: *Provided*, That no such suit or action shall be brought after the lapse of thirty days after the cause of action hath accrued.

Evading tolls.

SECTION 14. That if any person or persons passing over the said bridge shall falsely represent that he, she or they are going to or returning from a funeral, divine worship, or election, or military training, every such person shall forfeit and pay the sum of five dollars, to be recovered in the corporate name of the said company before any justice of the peace or other court of competent jurisdiction, by action of debt or otherwise, as debts of like amount are by law recoverable.

Dividends.

SECTION 15. That dividends of the clear profits of the said bridge shall be made on the first Mondays in April and October, in each year, after the full payment of all the debts, charges and expenses for the building thereof.

Injury to bridge.

SECTION 16. That if any person or persons shall wilfully pull down, break, injure or destroy, any part or parts of said bridge, or any toll house, gates, bars, or any other property of the said corporation appertaining to or erected for the use or convenience of said bridge or of the person employed for the purpose of attending to the same, or shall wilfully, without the consent or order of the said corporation, deface or destroy any list of the rates of toll affixed in any place or places for the information of passengers and others, or who shall wilfully or maliciously ob-

struct or impede the passage on or over said bridge, or any part or parts thereof, he, she or they so offending shall each of them forfeit and pay for every such offence to the said corporation, the sum of ten dollars, to be recovered before a justice of the peace as debts of like amount are recoverable; and if any person shall be guilty of carrying any lighted segar or pipe, or of carrying fire in any manner whatsoever over said bridge, except in a lantern or in some vessel secured so that the possibility of setting fire to said bridge shall be fully prevented, or who shall discharge any pistol or gun or any fire arms on or near the said bridge so that the bridge might possibly be set on fire or injured by said cause, he or she so offending shall forfeit and pay to said corporation the sum of five dollars for every such offence, to be recovered as aforesaid; but no suit shall be brought for any of the aforesaid offences unless commenced within thirty days after it shall be known who committed said offence; and he, she or they so offending shall remain liable to actions at the suit of said corporation for such wrongs if the sums herein mentioned be not sufficient to repair and satisfy said damages.

SECTION 17. That if the said company shall not proceed to carry on the said work within three years after they shall have been incorporated, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties and privileges hereby granted to the said company: *Provided*, That the president and managers shall annually, in the month of January, publish in one or more newspapers a full account of the cost of building and repairing said bridge and the amount of toll received. Reservation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 618.

A SUPPLEMENT

To the act incorporating the Susquehanna and Clearfield County Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time fixed in the act incorporating the Susquehanna and Clearfield County bridge company, approved the third day of March, one thousand eight hundred and forty-nine, for completing the construction of the bridge authorized in said act, be and

the same is hereby extended one year from and after the passage of this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 619.

AN ACT

To consolidate the Sunbury Canal Company and the Sunbury Lumber and Car Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Sunbury canal company and the Sunbury lumber and car manufacturing company, be and are hereby consolidated and made one body corporate, by the name and style of the Sunbury canal and water power company, with all the franchises and powers of the said companies, and subject to the provisions and restrictions now imposed by law on the said companies: Provided, That the capital of the consolidated company shall not exceed the capital of the said canal company, and be divided into the same number of shares and of the same value, and the president and managers of the said company shall be elected as provided in the acts relative to the said canal company.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 620.

A N A C T

Incorporating the Lewistown Gas Company, in Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John A. Sterrett, David Bloom, Abraham Blymyer, E. L. Benedict, Moses Montgomery, William Shimp, George Frysinger, and George W. Stewart, of the borough of Lewistown, in the county of Mifflin, or any five of them, are hereby appointed commissioners to do and perform the several things hereinafter mentioned; that is to say, they shall procure a suitable book and therein enter as follows: We, whose names are hereunto subscribed, do promise to pay to the president and managers of the Lewistown gas company, the sum of twenty-five dollars for every share of stock set opposite our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act to incorporate the Lewistown gas company;" witness our hands, this day of , in the year one thousand eight hundred and fifty-five, and shall thereupon give notice in two newspapers published in the county of Mifflin, for two weeks at least, of the time and place when and where the said books shall be kept open to receive subscriptions for the stock of the said company, at which time and place one or more of the said commissioners shall attend and permit all persons of lawful age, who shall offer to subscribe in the said book, in their own names, or in the names of any other persons who shall authorize the same, for shares in said stock; and the said book shall be kept open for the said purpose, at least six hours in each juridical day, for the space of five days, or until there shall have been subscribed five hundred shares; and if at the expiration of five days the book aforesaid shall not have the number of shares aforesaid herein subscribed, the said commissioners may adjourn from time to time and transfer the book elsewhere, until the whole number of twelve hundred shares be subscribed, of which adjournment and transfer the commissioners aforesaid shall give such public notice as the occasion may require; and when the whole number of shares shall have been subscribed, then the books shall be closed.

SECTION 2. That when four hundred shares of the stock shall have been subscribed and the sum of five dollars paid on each and every share, the commissioners who have acted, or a majority of such shall certify to the governor, under their hands and seals, the names of the subscribers and the number of shares subscribed by each, and the sums paid thereon, whereupon the governor shall by letters patent, under his hand and the seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then also those who shall thereafter subscribe to the number of shares as aforesaid, into a

body politic and corporate, in deed and in law, by the name and style of the Lewistown gas company, and by the same name the subscribers shall have perpetual succession and be sued, plead and be impleaded in all courts of record and elsewhere. and by the said name the said corporation shall have power and authority to manufacture and sell gas, to be made of bituminous coal or other materials, for the purpose of lighting the streets, buildings, manufactories and other places in the borough of Lewistown, and to purchase, hold, receive and enjoy, to them and their successors, lands, tenements and hereditaments, goods, chattels, and all estate, real and personal, or mixed, of what kind or quality soever, and the same from time to time to sell, mortgage, grant, alien or dispose of, and to make dividends of such portions of the profits as they may deem proper, and also to make and have a common seal, and the same to alter or renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the constitution and laws of the United States, or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation : *Provided*, That nothing herein contained shall be considered as in any way giving to the said corporation any banking privileges whatsoever, or any other privileges, liberties or franchises but such as may be necessary or incident to the making of gas and the distribution thereof, for the purposes of illumination, in the borough of Lewistown : *Provided further*, That the said company shall at no time hold or possess any land for any other purpose than the construction thereon of the necessary works and offices of the said company.

Organization. SECTION 3. The said named commissioners, or a majority of them, shall, as soon as conveniently may be after the said letters patent shall have been obtained, give at least two weeks' previous notice in the newspapers hereinbefore mentioned, of the time and place by them appointed for the subscribers to meet in order to organize the said company, and to choose by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy (which proxy shall have been obtained and bear date within four weeks previously to the election at which such proxy shall be presented) duly authorized, one president and six managers : The president and managers aforesaid shall conduct the business of said company until the third Saturday in March, Anno Domini one thousand eight hundred and fifty-six, and until like officers shall be chosen, and make such by-laws, rules, orders and regulations, as are not inconsistent with the laws of this state and of the United States, and as may be necessary for the due management and ordering the affairs of the said company.

President and managers. *Annual meetings.* SECTION 4. That the stockholders shall meet on the third Saturday of March, Anno Domini one thousand eight hundred and fifty-six, and on the same day and month annually thereafter, at such place as may be fixed upon by the by-laws, of the time and place of which meeting notice shall be given at least two weeks previously, in the newspapers aforesaid, and choose by ballot, by a majority of votes present, their officers for the ensuing year, as mentioned in the third section of this act. which officers so elected, shall continue in office for one year,

or until a new election shall be had; and the stockholders shall also meet at such other times, either upon the requisition of the managers, or of any stockholders who own in the aggregate one hundred shares, as they may be summoned to meet by the said managers or stockholders, in such manner and form as shall be prescribed by the by-laws, at which annual or special meeting they shall have full power and authority to make, alter or repeal, by a majority of votes present, in manner aforesaid, all such by-laws, rules, orders and regulations as aforesaid, and to do and perform every other corporate act; and the number of votes to which each stockholder shall be entitled to at all elections, and upon all questions submitted to any annual or special meeting of the said stockholders, shall be according to the number of shares he or she shall hold, in the proportion following, that is to say: For each share not exceeding two shares one vote, for every two shares above two and not exceeding ten shares one vote, for every five shares above ten shares one vote; and no share shall confer a right of voting which shall not have been holden two calendar months prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and bona fide in his or her own right, or in the right of his wife, or for his or her sole use and benefit, as an executor, administrator, trustee or guardian, in the right and for the use and benefit of some co-partnership, corporation or society of which he or she may be a member, and not in trust for and to the use and benefit of any other person: *Provided*, That no person shall be permitted to vote at the first election of said company, unless he or she has fully paid five dollars on each share of stock by him or her subscribed, as directed by the second section of this act, and at the subsequent election of said company, no person shall be permitted to vote unless he or she shall have fully paid all the instalments called for and then due on the shares by him or her subscribed, and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed on the twenty-eighth day of March, in the year one thousand eight hundred and twenty, entitled "An act to regulate proxies."

By-laws.

Votes.

Provido.

SECTION 5. That the election of officers, provided for in the fourth section of this act, shall be conducted in the following manner, that is to say: the managers for the time being shall appoint two of the stockholders not being managers, to be judges of said election, and to conduct the same, who before undertaking so to act, shall severally take and subscribe an oath or affirmation, before a justice of the peace or alderman, well and truly, according to law, to conduct such election to the best of their knowledge and abilities; and the said judges shall decide upon the qualifications of the voters, and when the election is closed, which shall be and remain open at the office of the company, in the borough of Lewistown, from ten o'clock A. M. until three o'clock P. M., shall count the votes, and the stockholders having the highest number of votes, shall be declared elected; and if it shall at any time happen that an election of president or managers shall not be made, the corporation shall not for that cause be deemed to be dissolved, but it shall be lawful to hold and make such election of president or managers on the same day, or on any other day thereafter, giving at least ten days' notice, signed by the president, in the newspapers before mentioned, of the time and place of holding such

Elections.

election, and they are hereby required so to do, at least once in every twenty days, till the requisite officers are chosen, and the president and managers of the preceding year, in that case continue to act and be invested with all powers belonging to their respective stations, until an election shall take place; in case of the death or resignation or removal from the state of any president, manager or other officer, his place shall be filled by the board of managers until the next annual election: *Provided*, That none but stockholders shall be eligible to be elected president or manager.

Meetings of president and managers.

Their powers.

Certificates of stock.

Payment of stock.

SECTION 6. That the president and managers shall meet at such times and places as shall be found most convenient for the transaction of their business, four of whom shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall have full power and authority to buy land for the gas works and erect the same, to appoint all such architects, surveyors, chemists, superintendents, and other artists and officers, as they shall deem necessary to construct and carry on the intended gas works, and to fix their salaries and wages, to enter into and execute contracts or covenants in relation to the objects of said corporation, and to enforce the same, to ascertain the time, manner and proportions in which the said stockholders shall pay the moneys due on their respective shares, to draw orders on the treasurer for money, which orders shall be signed by the president, or in his absence by a majority of the managers present, and countersigned by the secretary, and generally to do all such other acts and matters and things, as by this act and by-laws and regulations of the company they are authorized to do.

SECTION 7. That the president and managers first chosen, shall procure certificates or evidences of stock for all shares of the said company, and shall deliver one such certificate, signed by the president, and countersigned by the secretary, and sealed with the common seal of the said corporation, to each person, for such share or shares as by him are subscribed and held, which certificate or evidence of stock shall be transferable at his pleasure, in person or by attorney duly authorized, in the presence of the president or secretary, in a book to be kept by the said corporation for that purpose, subject however, to all payments due or to become due thereon, and the assignee holding any certificate transferred as aforesaid, shall be a member of said corporation, and for every certificate assigned to him as aforesaid, shall be entitled to a share or shares as is therein mentioned, of the capital stock of all the estates and emoluments of the corporation incident to such share or shares, and to vote as aforesaid, at the meetings thereof, and subject to all penalties and forfeitures, and of being sued for all the balance and penalty due, or to become due on each share, as the original subscribers would have been.

SECTION 8. That if, after twenty days' notice in the papers aforesaid, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the works of the company, any stockholder shall neglect to pay such proportion or instalment, at the place appointed, for the space of thirty days after the time so appointed, every such stockholder or his assignee shall, in addition to the instalment so called for, pay at the rate of two per centum per

month, for the delay of such payment; and if the same and the additional penalty shall remain unpaid for such space of time, that the accumulated penalty shall become equal to the sum of sums before paid in part, and on account of such share or shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same; that in default of payment by any stockholder, of any such instalment as aforesaid, the president and managers may at their election cause suit to be brought, before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid; that in case of the transfer or assignment of any such share or shares, on which default has been made as aforesaid, the president and managers of the said corporation may bring suit as aforesaid, either against the person who assigned or transferred the said share or shares, or the person to whom such transfer or assignment is made, for the recovery of any unpaid instalment, together with the penalty aforesaid.

SECTION 9. That the managers shall declare dividends of so much of the net profits of the company as shall appear to them to be payable, on the first Saturday in April and October in every year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared. Dividends.

SECTION 10. That the company shall have power and authority and is hereby empowered and authorized to erect gas posts, burners and reflectors, to dig such trenches in, along and across the public streets, lanes, alleys and side-walks in the borough of Lewistown, for the purpose of laying pipes for the distribution of gas, as the said company may deem necessary: *Provided*, That said company shall fill up said trenches and restore the said public roads, streets, lanes, alleys and side-walks to as good condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company. Privileges of company.

SECTION 11. That if any person or persons shall open a communication into the street, gas main or other pipe of the said company without authority from the inspectors or other authorized agents of the said company, or shall let on the gas after it has been stopped by order of the inspector or other authorized agent of the said company, for repairs or any other cause or purpose, or shall put up any pipes or burners in addition to the pipes or burners originally put up and inspected, and introduce the gas into them without authority, as aforesaid, he, she or they shall be subject to a penalty of not less than ten or more than fifty dollars for each and every such offence, to be recovered as debts of the like amount are recoverable in law, one-half to be paid to the informer and the other half to the said company. Penalty for using gas without authority.

SECTION 12. That if any person shall wilfully or maliciously obstruct or cause to be done any act or acts whatsoever whereby any building, construction or works of said company, or any gas pipe, gas post, burners or reflectors, or matter or thing appertaining to the same shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and being thereof indicted and convicted in the court of-quarter sessions, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceed- Penalty for injury to works.

ing one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall not in anywise impair the right of action for damages by a civil suit hereby authorized to be brought for any such injury as aforesaid, by and in the name of the said corporation, in any court in this state having cognizance of the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 621.

AN ACT

To incorporate the Schuylkill Haven Gas and Water Company.

Commissioners.

Duties

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel H. Shannan, Moses Reed, B. F. Kotner, Charles Huntzinger, Jacob Kantiver, George Kaufman, Daniel Saylor, Morgan Medler, John Rudy, John W. Shoemaker, John Dougherty, Lewis Royer, Philip Palm, Jacob Deibert, Charles Christ, Daniel Small, John Deibert, Isaac Kupp, John G. Kochler, Henry Hesser, John W. Deibert, Peter Laubenstein, Daniel H. Stager, or any three of them, are hereby appointed commissioners who shall procure suitable books and in each of them enter as follows: "We whose names are hereunto subscribed promise to pay to the Schuylkill Haven gas and water company, the sum of twenty-five dollars for every share of stock set opposite to our respective names, in such manner and proportions and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of assembly to incorporate the Schuylkill Haven gas and water company. Witness our hands and seals the day of Anno Domini one thousand eight hundred and fifty-five;" and after they shall have given ten days' notice of the time and place, they shall open the said books to receive subscriptions for the stock of said company, and permit all persons of lawful age to subscribe; and the said commissioners who shall be present shall have power to adjourn from time to time, as they shall deem expedient, until the said stock, or such part thereof as shall be necessary, shall have been subscribed.*

SECTION 2. That when three hundred and twenty-five shares of the stock shall have been subscribed, and one dollar paid on each share so subscribed, the said commissioners, or any three of them, shall certify the fact to the governor, with the names

the subscribers and the amount paid thereon ; whereupon the governor shall, by letters patent, create and erect the subscribers and such who may afterwards subscribe, to the number of one thousand shares, into a body politic and corporate in law, under the name, style and title of the Schuylkill Haven gas and water company, in which name they may sue and be sued and have perpetual succession, may purchase, receive and have to them and their successors all goods, chattels and estates, real and personal, as may be necessary and proper for the carrying to effect the objects and purposes of this corporation, and the same from time to time to sell, mortgage, or otherwise dispose of, and make dividends of the net profits as they deem proper, and make and use a common seal, and also to ordain and put into execution such by-laws and ordinances as shall be necessary and convenient for the government of said company and for the preservation and security of their works and property, the same not being contrary to the laws of this state or of the United States ; and if penalties shall be inflicted by any such by-laws they shall be recoverable as debts of like amount are recoverable, or punished as like offences are punished, and generally to do the matters and things which lawfully appertain to them to do for the well being of the company : *Provided*, that nothing herein contained shall be considered as in any way giving to said company any banking privileges whatever, or any franchises but such as are or may be necessary or incident to the distribution of gas or water in the borough of Schuylkill town and West Haven : *And provided further*, That no dividends shall be declared on any stock of the company until the interest on all bonds and mortgages are first paid.

Letters patent.

Style.

Privileges.

By-laws.

Provide.

SECTION 3. That when letters patent shall have been obtained the commissioners shall give ten days' notice of a time and place for the stockholders to meet and organize the company, and to choose by a majority of their votes by ballot, in person or by proxy, one president and five managers, who shall manage and conduct the business of the company until the first Monday of May next ensuing, and until like officers shall be chosen.

Organization.

SECTION 4. That the stockholders shall meet annually on the first Monday of May, at such place as the by-laws shall fix, of which notice shall be given, and choose by a majority of their votes their officers for the ensuing year ; and the stockholders shall meet at such other times as they may be summoned by the managers, at which annual or special meeting they shall have power to make, alter or repeal, by a majority of their votes, any by-law, orders or regulations, and to adopt such measures regarding the interests of the company as to them shall be deemed expedient and which shall be carried into effect by the president and board of managers.

Annual meetings.

SECTION 5. That the president and managers shall procure certificates of stock, which, signed by the president and treasurer and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his pleasure in the presence of the president, treasurer or any other person appointed by the company for that purpose, subject, however, to all payments due or to become due thereon ; and when such assignment shall have been made and entered upon the books of said company, the holder shall be a member of said company, and in every election or meeting the stockholders of said

Stock certificates.

Transfer.

company shall be entitled to one vote for each share of stock by him or her held.

Subscriptions.

SECTION 6. That if any subscriber for stock, or his or her assignee, shall refuse or neglect to pay any instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he or she shall, in addition to the instalment called for, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long as that this penalty shall amount to the sum actually paid in upon said stock, it shall be in the power of said company to forfeit said stock and the amount paid thereon, to be disposed of by said company as will best promote their objects and interest.

Powers and privileges.

SECTION 7. That the said company shall have power to provide, erect and maintain all works and machinery, or engines necessary or proper for making, raising and introducing into the borough of Schuylkill Haven and West Haven, a sufficient supply of gas and pure water, and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs, for the reception of gas and water to be introduced, and for this purpose they are authorized and empowered by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and horses, to enter into and upon such lands and enclosures, streets, lanes and alleys, roads, railroads and highways, as may be necessary to occupy or to obtain material for the construction of the said works, and to occupy, ditch and lay pipes through the same, and the same from time to time to repair, as necessity shall require; and if any injury be done to private property the said company shall make compensation therefor as hereinafter provided for.

Damages, how ascertained.

SECTION 8. That if in the location of said works any injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner, they may refer the subject to men mutually chosen by them, or either party may apply to the court of common pleas for the appointment of three judicious men to view the premises and make a report to the court, whose award shall be subject to the right of appeal by either party, and when appealed from, to be tried as other cases are tried in which damages are claimed by the plaintiff; or if no appeal be entered by either party within twenty days from the date of the award, it shall have the effect of a judgment, and be collected in like manner.

Prices of gas.

SECTION 9. That when the said company shall have introduced gas and water, or either, into the borough of Schuylkill Haven and West Haven, or either, and shall have constructed the necessary buildings, reservoirs, fixtures, pipes and fire plugs, wherever they shall deem the same necessary and proper, they shall fix and determine equitable rates of price to be paid by the citizens for the use of the said gas and water, and if the said rates be not paid according to the terms of the contract between the citizens who shall use the same and the company, the same may be collected by the said company as county rates and levies are now collected, or by action, as debts of like amount are recoverable, at their option.

Injuries to works.

SECTION 10. That if any person or persons shall put, or cause to be put, or in any way introduce into any dam or reservoir from which the water of said company is supplied, any persons

or offensive matter, or shall go in to swim or bathe in the same, or shall cut, deface, or otherwise injure any part of the buildings, machinery, or other work and property belonging to said company, every such person shall pay a sum not less than five nor more than one hundred dollars, at the discretion of a magistrate, to be recovered as debts of like amount are recoverable, one-half for the use of the company, and the other one-half for the use of the person who shall sue for the same; and if the person against whom a judgment shall be rendered shall not pay the same, and no goods or chattels of his or hers can be found upon which levy may be made to satisfy the same, then any person so offending shall be committed to the jail of the county of Schuylkill, for any period not less than five nor more than sixty days.

SECTION 11. That it shall not be obligatory upon the said company to carry into effect all the objects contemplated by this act, and if upon opening the books for the subscription of stock, there shall not be a sufficient sum subscribed to effectuate the object of introducing both gas and water into the said borough and district, then it shall be in the power of said company, when organized, to confine their means to the attainment of either the introduction of gas or water, or both, into the borough of Schuylkill Haven or West Haven, or both, as the exigencies of the case in their judgment shall require. May erect gas or water works.

SECTION 12. That the said company, if necessity require, shall have the power at any time to borrow any sum of money not exceeding twenty thousand dollars, to be applied to the prosecution or improvement of the said work or works, and to pledge their goods, chattels, property, franchises and effects, by mortgage or otherwise, for the security and re-payment of the same. May borrow money.

SECTION 13. That the chief burgess and town council of the said borough of Schuylkill Haven are hereby authorized and empowered to transfer and convey to the said company all that certain tract of land bounded on the north by Columbia street, on the east by the canal, on the south by a brick-yard, formerly owned by Charles Kantner, and on the west by lands now in possession of William Kramer, the same to be used by said company to erect their gas works upon: *Provided*, That such conveyance shall not be made until the said company are duly organized: *And provided further*, That the chief burgess and town council aforesaid, shall agree to make such transfer. Transfer of a certain lot.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 622.

A N A C T

To incorporate the Meadville, Western and Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Derrickson, James E. M'Farland, John Dick, John C. C. Brooks, A. B. Ross, Edgar Huidekoper, John P. Davis, D. A. Finney, Gaylord Church, William Hurst, J. Porter Brawley, C. W. Burton, Hugh B. Allen, James Burchfield, Howell Powell, John M'Dill, James W. Douglas, F. F. A. Wilson, John Carr, Kennedy Davis, David M'Fadden, Samuel Quail, Hugh Brawley, junior, S. B. Long, Alexander Powers, and Joseph Derrickson of Crawford county; and James Skinner, Gideon J. Ball, James Thompson of Erie county; W. H. Lamberton of Venango county, or any of them, and all other persons who may hereafter be associated with them, in the manner hereinafter prescribed, and their successors, shall be, and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Meadville, Western and Mutual insurance company, and by the same name shall have perpetual succession.

Corporators.

Style.

SECTION 2. That any three or more of the above named persons are hereby constituted commissioners, who at any time within one year of the passage of this act may, upon two weeks' notice being given, in one or more newspapers printed in the borough of Meadville, meet and receive subscriptions to the capital stock; and when the amount of five hundred shares shall have been subscribed, and ten per centum in cash is paid on each share subscribed, it shall be the duty of at least three of the above named commissioners, to certify to the governor, under their hands and seals, the names of the subscribers and the number of shares subscribed by them respectively, and the governor shall thereupon, by letters patent under his hand and the seal of the state, erect and create the subscribers into a body politic and corporate, in deed and in law, by the name, style and title of the Meadville, Western and Mutual insurance company, by which name, style and title the said subscribers shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and to purchase, receive, have, hold, use, occupy, possess, and to enjoy, to them and their successors, lands, tenements, hereditaments, goods, chattels and effects of what nature, quality and kind soever, real, personal or mixed, necessary or convenient to carry into effect the powers and privileges hereinafter granted, and to receive and collect all promissory notes or choses in action, taken in the course of their corporate business, and the same from time to time to sell, demise, grant, alien or dispose of: *Provided,* That the real estate so held shall only be such as shall be necessary and convenient for the transaction of its business, or which may be conveyed to said company, for the security or in payment of any debt which may become due or

Commissioners.

Their duties.

Letters patent.

Style.

Privileges.

owing to the same, or in satisfaction of any judgment of any court of law, in its favor; and the said company shall have power to make, have and use a common seal, and the same at pleasure to break, alter and renew.

SECTION 3. That the capital stock of said company shall be called in and paid at such times and places, and in such proportions and instalments as the president and directors shall require, giving public notice thereof for three successive weeks, in two or more newspapers published in the borough of Meadville; and if any stockholder shall neglect to pay such proportion or instalment at the time and place appointed, he shall in addition to the proportion or instalment so called for, pay at the rate of one per centum per month, for the delay of such payment, and if the same and the additional penalty, or any part thereof, shall remain unpaid for a period of six months, he shall at the discretion of the directors forfeit to the use of the company all his right, title and interest in and to every and all share or shares, on account of which such default in payment may be made as aforesaid, or the president and directors may at their option, cause suit to be brought before any competent tribunal, for the recovery of the amount due on such stock, together with the penalty of one per cent. a month as aforesaid; in the event of forfeiture the share or shares so forfeited, may be disposed of at the discretion of the president and directors, under such rules and regulations as may be prescribed by the by-laws: *Provided*, That no stockholder shall be entitled to vote at any general or special meeting of the company, on whose share or shares any instalment or arrearages may be due more than ten days previously to said meeting.

Payment of capital stock.

Proviso.

SECTION 4. That the affairs of the company shall be managed by twenty-one directors, of whom five shall be a quorum for the transaction of business, a majority of whom shall be citizens of this commonwealth, and all to be stockholders of said company, holding at least five shares each in their own right, and who shall be elected annually, on the third Monday of April, by the stockholders assembled in their general meeting for that purpose, of which meeting public notice shall be given, in two or more newspapers published in said borough, for two successive weeks immediately preceding the holding of the same; and the directors at their first meeting after each election, shall choose one of their number as president; but in case it should happen at any time that an election of directors should not be made, when pursuant to this act it ought to have been made, the company for that cause shall not be dissolved, and it shall be lawful within forty days thereafter, to hold and make an election of directors in such manner as shall be regulated by the by-laws and regulations of said company; and in case of the death, resignation or removal from office, of any director, his place may be filled for the remainder of the term, in such manner as the regulations of the company for that purpose shall direct: *Provided*, That the first election of directors shall be held at a time and place to be appointed by the commissioners before mentioned, they giving notice thereof in the manner aforesaid; and the directors so chosen, shall hold their offices until the third Monday of April following, and until new directors shall be chosen; the votes of stockholders for the election of directors, shall be by ballot, and each share in the stock of said company shall entitle the holder to one vote; but no stock-

Affairs, how managed.

Election of directors.

Proviso.

holder shall, after the first election, vote at any election for directors, unless the share or shares on which he or she may claim to vote, shall have been standing in his or her name, at least three months previous to such election, and all the instalments due thereon shall have been paid.

Power of president and directors.

SECTION 5. That the president and directors for the time being, shall have power to establish and appoint such and so many officers, clerks, agents or agencies in this state, or elsewhere, as shall be by them deemed convenient or necessary for conducting and performing the business of the said company, to fix their compensation, to take bonds from all or any of them, with security conditioned for the faithful execution of their several duties, to make such covenants, contracts and agreements, as they may deem proper, to ordain, establish and put in execution all such ordinances, regulations and by-laws as may appear necessary for the government, or conducive to the interest of the company, not being contrary to the fundamental articles thereof, to the constitution and laws of the United States and of this commonwealth, and generally to do, execute and perform all acts, matters and things in relation to the business thereof which a corporation may or can lawfully do: *Provided*, That all such ordinances, regulations and by-laws as shall be made by the directors, may be altered or repealed by a majority of the stockholders, at any annual meeting, or at any special meeting which may be called for that purpose, by any ten or more of the stockholders owning two-fifths of the capital stock, of which special meeting at least three weeks' previous public notice shall be given, in two or more newspapers published in said borough; and a majority of the stockholders may at any annual or special meeting convened as aforesaid, adopt by-laws, which shall be binding upon the directors, such by-laws not being contrary to the laws of this state or of the United States: *Provided*, That all acts which the said directors are authorized to do, shall be as valid, if performed by a quorum of the directors, or by a committee appointed at a meeting called for that purpose, and to be called an executive committee, as if performed by them all, at a full meeting of the board.

Provide.

Provide.

Insurances.

SECTION 6. That the said company shall have full power and authority to make insurances, on the mutual plan or otherwise, and to guarantee against losses by fire, by perpetual policies or otherwise, on such terms, at such rates of premium as may be agreed upon, on any house, tenement, church, manufactory, or other buildings, on machinery, lumber, building or other materials, on vessels on the stocks, and on goods, wares, merchandise, commodities or other effects, and on hay, grain, and other agricultural products, in barns, stacks, or otherwise, and generally upon all kinds of buildings, goods, wares and merchandise, commodities or effects, together with every species of property, pursuit or business in the prosecution of which there is or may be any loss or risk; and in like manner, for such rate of premium as may be agreed upon, to insure and guarantee against loss on marine or otherwise, of whatsoever kind or nature, upon steamboats, ships, vessels, canal boats, or other craft, on the ocean or elsewhere, and upon goods, wares and merchandise, commodities or effects, of whatsoever kind or nature, shipped or transported, or to shipped or transported, by water or land, or partly by water and partly by land, likewise on specie, bullion, or money, shipped, transported, or remitted,

or to be shipped, transported, remitted, delivered or paid, and generally to make, execute and perfect such contracts, bargains, agreements, policies and other instruments, as shall or may be necessary, and as the nature of the case may require; and every such contract, bargain, agreement, policy, or other instrument, to be made by the said company, shall be in writing or in print, and signed by the president and secretary, or by such other officer or officers as the directors may appoint for that purpose; and it shall be lawful for the said company to obtain re-insurance on any risk against which they may have insured, whenever deemed expedient, or otherwise: And further, also to make insurance predicated on the lives of persons and animals, and to execute such agreements, policies, and other instruments, as shall or may be necessary to effect the same, as fully and as effectually as in any life insurance company incorporated within this commonwealth.

SECTION 7. That it shall and may be lawful for the said company to employ and invest their capital stock and other moneys of the company, or money entrusted to it, in bonds, notes, mortgages, ground rents, judgments, stocks, and loans of the United States and state of Pennsylvania, and in other good securities, and to sell, transfer and change the same; and to reinvest the proceeds of such sale, transfer or change, in other such bonds, notes, mortgages, rents, judgments, stocks, loans, or other good securities, whenever the directors shall deem it expedient: *Provided*, That nothing herein contained shall in any way be construed to authorize the said company to use their capital stock or funds for banking purposes.

Investment of
stock and funds.

Provide.

SECTION 8. That the president and directors of said company shall, on the first Mondays of October and April in each and every year, declare and divide so much of the profits of said company as to them shall appear advisable, first deducting all expenses, and pay the said dividend to the respective stockholders, or their agents, duly empowered, in ten days after declaring the same; but the moneys received as premiums upon risks which remain outstanding and undetermined at the time of declaring such dividends, shall not then be considered as part of the profits of said company, or divided as such, and if any loss shall happen whereby the capital stock of said company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the said capital stock; and if the president and directors shall knowingly make a dividend or dividends contrary to the true intent and meaning of the prohibitions herein contained, such of them as shall consent thereto shall in their individual capacities be accountable for and pay over to the said company, for the use thereof, as much money as they may so divide and pay more than by this act they are authorized to do, and the president and each director of the said company in office at the time of making such dividend hereby prohibited, shall be deemed as consenting thereto, unless he or they shall at the time of making and declaring the same, be absent from the board of directors, or if present, shall immediately enter his or their protest or protests on the minutes of the board, and also give notice thereof in two or more newspapers published in said borough of Meadville: *Provided*, That any member of the corporation may nevertheless become assured thereby, in the same manner, and

Dividends.

Provide.

with the same effect, as if such member had no interest in the corporation.

Capital stock.

SECTION 9. That the capital stock of said corporation shall consist of one thousand shares, of fifty dollars each, to be paid in such instalments as the board of directors may determine, which said capital stock may at any time hereafter be increased by them, not exceeding ten thousand shares, of fifty dollars each, if the said company, by a majority of its stockholders in number and amount of stock, at a meeting called for that purpose, after three weeks' notice thereof being given in at least two newspapers in the borough of Meadville, deem it advisable to increase the capital stock thereof, they are hereby fully empowered to do so, in any sum not exceeding the above number of shares, of fifty dollars each, payable to the company by instalments, in amounts and at such times as the directors may determine.

Transfers.

SECTION 10. That the stock of said company shall be transferable on the books of the company only, according to such rules and regulations as may be prescribed by the by-laws.

Punishment of embezzlement.

SECTION 11. That any officer, director, or agent of said company who shall embezzle the funds of said company intrusted to his care, or who shall practice any fraud upon the said company, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be imprisoned in the jail of the county where such conviction shall be had, or in the penitentiary, for a term not exceeding one year, and shall pay a fine not exceeding one thousand dollars: *Provided*, That such conviction and sentence shall not prevent the company from pursuing the ordinary civil remedy against such person or persons.

Proviso.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 623.

AN ACT

To incorporate the West Branch Insurance Company.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Peter Dickinson, Samuel Ceist, G. C. Harvey, B. R. Petrikia, William White, John B. Wagner, John J. Pearce, Jacob Brown, Robert Irwin, Benjamin Myers, F. F. Abrams, C. A. Meyer, John B. Hall, Thomas Kitchen, D. K. Jackman and William

Vanderbilt, and all other persons who may hereafter associate with them in the manner hereafter prescribed, shall be a corporate body by the name of West Branch insurance company, and shall have power and authority to make contracts of insurance with any person or persons, or any body politic or corporate, against loss or damage by fire of steam property, such as steam saw mills, sash and blind manufactories, steam planing mills, anneries, and all other buildings and their contents used for hazardous and extra hazardous purposes, for such term or terms of time, and for such premium or consideration and such modification and restrictions as may be agreed upon between the said corporation and the persons agreeing with them for said insurance.

Style.

Insurance.

SECTION 2. That the operations, business and office of the said corporation shall be carried on and conducted at the borough of Lock Haven, Clinton county, Pennsylvania.

Place of business.

SECTION 3. That all persons who shall hereafter insure with the said corporation, and all their heirs, executors and administrators and assigns continuing to be insured in said corporation, as is hereafter provided, shall thereby become members hereof during the period they shall remain insured by said corporation and no longer.

Insured to be members.

SECTION 4. That the affairs of said corporation shall be managed by a board of ten directors, to be chosen by ballot from among the members, a majority of whom shall constitute a quorum for the transaction of business. G. C. Harvey, Peter Dickinson, Samuel Ceist, William White, John J. Pearce, John B. Hall, Thomas Kitchen, F. F. Abrams, C. A. Moyer and D. K. Jackman, shall be the first directors of said corporation, and shall respectively hold their offices as directors until their successors shall be appointed, as follows: Peter Dickinson, John J. Pearce, William White and D. K. Jackman, two years; G. C. Harvey, John B. Hall and C. A. Moyer, three years; Thomas Kitchen, F. F. Abrams and Samuel Ceist, four years, respectively, from the first day of January, one thousand eight hundred and fifty-five. The first election of directors shall be had the first Monday of January, one thousand eight hundred and fifty-seven; the second election of directors the first Monday of January, one thousand eight hundred and fifty-eight; the third election of directors the first Monday of January, one thousand eight hundred and fifty-nine. The persons who shall be chosen directors at the said several elections shall respectively hold their offices for the term of three years; all of said elections shall be held after notice of the same shall have been published in some public paper in said county at least two weeks preceding such election. Such directors shall be elected by members of this company holding policies therein, and one vote shall be allowed on every three hundred dollars insured.

Directors.

SECTION 5. The board of directors shall elect a president, vice president, and appoint a secretary, treasurer and executive committee, of their own members, and they may appoint a general agent, all of whom may hold their offices during the term for which they may be elected or appointed, not exceeding five years at any one appointment; and said board of directors may appoint such subordinate agents and officers as they may deem necessary, which said subordinate agents and officers may hold their offices during the pleasure of said board. The executive committee, when the board of directors is not in session, may

Officers

- exercise all the powers vested in this company, except as shall be otherwise provided by said board in their by-laws.
- Insurances.** SECTION 6. That the rates of insurance shall be from time to time fixed and regulated by the directors of the company, and premium notes therefor shall be received from the insured, which shall be paid at such time or times and in such sum or sums as the corporation shall from time to time require; and any person applying for insurance shall pay cash premium in addition to a premium note, or a definite sum of money to be fixed by said corporation in full for said insurance.
- Elections.** SECTION 7. That if it shall at any time happen that an election of president, secretary, treasurer or director shall not be made on any day when pursuant to this act it ought to have been made, this corporation shall not for that cause be deemed dissolved, but it shall be legal on any other day to hold and make an election of officers and directors in such manner as shall have been regulated by the by-laws and ordinances of said corporation. •
- Losses.** SECTION 8. That if it should ever happen that the stock of said company, deposited and paid as aforesaid, shall not be sufficient to pay all the losses occasioned by fire, then and in such case the sufferers insured by such company shall receive towards making good their respective losses, a proportionable dividend of said whole stock, according to their respective losses and the respective sums to them insured by said company; or if there should be an excess of funds, the directors may declare a dividend to each member, apportioned to the amount originally paid.
- Payment of losses** SECTION 9. That every member of said company shall be bound to pay for losses and such necessary expenses as aforesaid, accruing in and to said company, in proportion to the amount of his deposit note; and suits at law may be maintained by said corporation against any of its members for the collection of said deposit notes or any assessment thereon, or for any other cause relating to the business of said corporation: also suits may be brought by any member against said corporation for losses if payment is withheld more than four months after the company are duly notified of such losses.
- Assessments.** SECTION 10. That whenever an assessment is made on any premium note given to this company, in consideration for any policy of insurance issued by said company, and an action is brought for the recovery of such assessment, the certificate of the secretary, specifying the assessment and the amount due on such note by means thereof, shall be taken and received as prima facie evidence thereof in all courts of this commonwealth.
- Statement of affairs.** SECTION 11. That it shall be the duty of the secretary the first of January of each year to cause to be made and published in one or more newspapers of Clinton county, a statement of the affairs of the company.
- By-laws** SECTION 12. That the directors shall have power to make from time to time such by-laws, not inconsistent with this act and the constitution and laws of this state, as may be necessary for the government of its officers and the conduct of its affairs, and every member of this company shall be bound by the provisions of this charter and such by-laws.
- Executive committee.** SECTION 13. That the president, secretary and treasurer shall constitute the executive committee or board of the company,

and when a quorum of the directors are not in session may exercise all the powers vested in the board of directors.

SECTION 14. That the steam department shall be conducted in the plan of mutual insurance, and that said steam department shall be conducted separate and apart from the cash department hereinafter named. Steam department.

SECTION 15. That said corporation have the right of creating capital to said company of a sum not less than one hundred thousand dollars and not more than three hundred thousand dollars, and to manage the same separate and apart from said mutual department of said company. Capital stock.

SECTION 16. That the time and mode of increasing the cash capital of said company, as mentioned in the preceding section, and requiring payment thereof, shall be fixed and determined by the directors in a manner not inconsistent with this charter. Mode of payment

SECTION 17. That the board of directors shall cause books to be kept for the registry and transfer of shares of the cash business of said company. Every transfer to be valid must be made in said books and signed by the shareholder, or his or her attorney duly authorized in writing, and all transfers shall be made subject to the conditions of this charter or the by-laws that may be adopted by the directors. Transfers.

SECTION 18. That the shares of the capital stock of this company shall be deemed pledged and held in security by the officers thereof, for the payment of all debts and liabilities of the owners thereof, to this company, whether absolute or contingent, and no transfer of any stock can be made until such debts or liabilities are discharged, without a resolution of the board of directors to such a transfer. Payment of debts

SECTION 19. That said cash capital shall be divided into shares of one hundred dollars each, and that all persons holding capital stock shall be entitled to one vote for each three hundred dollars so held. Value of shares.

SECTION 20. That the corporation hereby created shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, in all courts and places and in all matters whatsoever, with full power to hold, possess, use, occupy and enjoy all such real estate as shall be necessary for the transaction of its business, or which may be conveyed to said company as security or in payment for debts that may be due or owing said company, or in satisfaction of any judgment of any court of law, or any order or decree of a court of equity in their favor, and sell, convey and dispose of the same, and may have a common seal and use it at pleasure; and to receive all proposals and applications for insurance in writing as a warranty on the part of those insuring, and to base policies of insurance thereon, and to incorporate the same as a part of the contract between the company and the insured, and for the purpose of defining the rights of the contracting parties. Powers of company.

SECTION 21. That all policies or contracts of insurance which may be made or entered into by said corporation, shall be subscribed by the president and secretary, or such other officer as shall be designated for that purpose by its by-laws, and being so signed shall be binding on said company without the seal thereof, according to the true intent or meaning of such policy or contract. Policies.

Insurances on
property.

On lives.

SECTION 22. That the said company shall also be empowered, if they see proper, to take risks against fire on all kinds of merchandize, buildings or other property of whatever nature or quality, either limited or perpetual; and also to effect marine and inland insurance on vessels, boats, cargoes and freights and on merchandize and all other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise, and of all kinds of lawful pursuits, business or transactions in which there is or may be danger of loss or risk; and also to grant annuities and make insurance on lives of whatever sort or nature, and to execute such agreements, policies and other instruments as may be necessary to effect the same. and it may and shall be lawful for any and every person to insure with the said company and to become members of the said corporation, and be entitled to a pro rata share of any profit which may be made by such insurance, to be declared and divided as hereinbefore directed by the provisions of this act

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 624.

AN ACT

To change the name of Matilda John to Matilda John Gross.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Matilda John, infant daughter of John C. John and the late Matilda John, deceased, and adopted daughter of Augustus H. Gross, M. D., and Eveline his wife, all of Allegheny county, Pennsylvania, be and the same is hereby changed to that of Matilda John Gross, and by the said name she shall hereafter be known, with like legal effect as if it had been her proper name heretofore by nativity and repute.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 625.

AN ACT

to incorporate the White Sulphur Springs Company, of Fayette County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly, and it is hereby enacted by the authority of the same, That* *Wm. Waller, Thomas R. Davidson, Dr. Smith Fuller, Daniel* *McNe and Moses Collins, and their successors, be and they are* *hereby incorporated and made a body politic and corporate, by* *the name of the White Sulphur Springs company of Fayette* *County, and by that name shall have perpetual succession, and* *capable in law of holding and conveying all real and per-* *sonal property as may be necessary for the objects of this in-* *corporation, may sue and be sued, plead and be impleaded, in* *courts of law and equity, may have a common seal, and may* *give, execute and deliver all such instruments of writing,* *do such acts and things necessary to promote the objects* *designs of said incorporation.*

Corporators.

Style.

Powers.

SECTION 2. That the lands which may be purchased and held by said company shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said company among the subscribers, according to their respective interests, for which certificates of stock shall be issued, and be assignable and transferable, in such way and subject to such conditions as the said company may from time to time prescribe, and the said shares of stock so created, shall be for all purposes deemed personal estate: *Provided, That the quantity of land which shall be held by said company shall not exceed one thousand acres.*

Stock.

SECTION 3. That the object and purposes of this incorporation shall be the establishing of a watering place, with suitable buildings and improvements, with the necessary grounds, heretofore provided for.

Object.

SECTION 4. That the stockholders shall meet as soon as practicable after the passage of this act, (notice of the time and place of such meeting having been first given in one newspaper printed in Fayette county,) and annually thereafter, at such time and place as shall be fixed upon, and shall then and there elect by ballot five directors, to serve for the term of one year and until their successors are chosen in their places, and said election shall be made by such of the stockholders of said company as shall be present for that purpose, either in person or by proxy; each share of stock shall entitle the holder thereof to one vote; the directors so chosen shall elect one of their number to be president of the board of directors of said company, and in case of vacancy or absence, the office shall be filled by such person or persons as the remainder of the directors, or a majority of them, may appoint.

Organization.

SECTION 5. That the directors shall have full power to make laws, and to appoint such officers and agents as they shall deem expedient for the well conducting and transacting the business of the company, to declare and provide for the pay-

Officers.

ment of dividends to the stockholders, and in general to superintend the business and concerns of the company, but such by-laws shall not be repugnant to the constitution of the state or the United States.

Restrictions.

SECTION 6. That this act shall not confer on said company any mining privileges, and shall continue in force twenty years.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 626.

AN ACT

To make Sarah Ann Miller an heir of Jacob Gamber, and to confer on her the name of Sarah Ann Gamber.

WHEREAS, Jacob Gamber, of Lancaster county, has by an instrument under seal, adopted as his own child a certain Sarah Ann Miller, otherwise called Sarah Ann Gamber, now residing in his family and under his protection, and desires to make her his heir at law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the said Sarah Ann Miller, be and the same is hereby changed to Sarah Ann Gamber, by which name she shall hereafter be able and capable in law, to hold all property and rights of property to which she has been, or may hereafter be in any manner entitled.

SECTION 2. That the said Sarah Ann shall have and enjoy as the adopted child of Jacob Gamber, of West Hempfield township, Lancaster county, all the rights, benefits and advantages of a lawful child of him the said Jacob Gamber, so as to render her able and capable in law, to inherit and transmit any estate whatsoever of him, the said Jacob Gamber, her father by adoption, as fully and completely, to all intents and purposes, as if she, the said Sarah Ann, had been his lawful issue.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 627.

A N A C T

To change the name of James Baxter M'Farland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of James Baxter M'Farland, of Philadelphia, adopted child of Thomas W. and Emma L. Duffield, shall henceforth be called and known by the name of Charles Wadsworth Duffield, and by this name be capable of suing and being sued, and of granting or taking any estate, in the same manner he could have done if no change had been made therein.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 628.

A N A C T

To change the name of the Philadelphia Mutual Live Stock Insurance Company, and to increase the capital stock thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia mutual live stock insurance company shall hereafter be known by the name, style and title of Mutual fire and live stock insurance company of Philadelphia, and that they are hereby vested with the privileges and powers granted in the fifth section of an act to incorporate the Philadelphia insurance company, approved the seventh day of February, Anno Domini one thousand eight hundred and fifty-one; and that the capital stock of said company may be increased to three hundred thousand dollars, whenever the same shall be directed by a majority of the stockholders: *Provided,* That no policy of insurance shall be issued by said company until one thousand

shares of the capital stock thereof shall have been subscribed for, and five dollars per share paid thereon.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER.

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 629.

A N A C T

To incorporate the Excelsior Railroad and Coal Company, in Allegheny county.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Steel, David Mitchell, junior, R. F. Smyth, William Boggs, David Ritchie, John F. Singer, Andrew Fulton, C. S. Eyster, Christian Zug, of Allegheny county, Pennsylvania, be and they are hereby appointed commissioners to receive subscriptions and organize a company by the name, style and title of The Excelsior railroad and coal company, with power to construct a railroad from the coal mines on Bell's run, near the line between Upper Saint Clair and Chartiers townships, in Allegheny county, to such point as said company may select on the Pittsburg and Steubenville railroad, between the town of Mansfield and the city of Pittsburg, and connect the same with the Pittsburg and Steubenville railroad, on such terms as may be agreed on between said companies.

Style.

Route.

Capital stock. SECTION 2. That the capital stock of said company shall consist of one hundred thousand dollars: *Provided*, That said company may, by a vote of a majority of the stockholders, increase the same from time to time to an amount sufficient to carry out the true intent and meaning of this act.

Election of officers SECTION 3. That a majority of the commissioners named in this act shall, as soon as practicable after the reception of the letters patent, give two weeks' notice in two or more newspapers in the city of Pittsburg, of a time and place for the subscribers to the capital stock of said company to meet, and shall at such time and place proceed to hold an election by ballot, and appoint judges thereof, for the purpose of electing from the stockholders five directors for the management, who shall continue in office until the first Monday in January next ensuing said election, or until other officers are chosen and qualified: *Provided*, That no person shall be eligible as a director who is not a citizen of this commonwealth.

SECTION 4. That the stockholders shall meet on the first Monday in January in each year, at such place as may be designated by the by-laws of the company, of which meeting two weeks' notice shall be given in two newspapers in the city of Pittsburgh, as the board shall direct, and shall by a majority of votes elect five directors, all of whom shall be stockholders in said company.

SECTION 5. That the said directors, and those thereafter to be chosen annually in like manner, shall appoint one of their number president of said company, and said president and directors shall manage the business and affairs of said company, and make, ordain and establish such by-laws, rules, regulations and orders, and generally do and perform all such other matters and things as are authorized by law.

SECTION 6. That the directors of said company are hereby authorized to pay to the stockholders entitled to receive the same, interest at the rate of six per cent. per annum on all instalments paid by them, until the work is completed and in operation, which interest shall be charged to the cost of the road, and the stock of said company shall not be subject to sales in consequence of said payment of interest.

SECTION 7. That said company shall be entitled to all the privileges, and subject to all the restrictions imposed by the general act, entitled "An act regulating railroads," approved the ninth day of February, one thousand eight hundred and thirty-nine, except so far as otherwise provided in this act.

SECTION 8. That if said company shall not commence the construction of said road within two, and complete the same within five years, this act shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 630.

AN ACT

to incorporate the Peters Creek Lodge Association number two hundred and forty-eight, of the Independent Order of Odd Fellows.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That S. Boggs, James M'Alister and William Crouch, and their successors, and all persons who now are or may be hereafter*

Style.	associated with them, be and are hereby erected into a body corporate, in deed and in law, by the name, style and title of Peters Creek lodge association number two hundred and forty-eight of the Independent Order of Odd Fellows, and by that name to have perpetual succession, and be able to sue and be sued,
Powers.	plead and be impleaded, in any court of law or equity, and shall be capable in law and equity to take and hold, to them and their successors, either by grant, gift, devise, lease, or otherwise, any lands or real estate, and also to take and hold for the use of the said association, any goods and chattels, sum or sums of money, by gift, grant, bargain, sale, will, devise, bequest or otherwise, from any person or persons whatsoever, capable of making the same, and the same at their pleasure to grant, bargain and sell, and generally to do all and singular the matters and things which shall be lawful for them to do for the well being and due management of the affairs of the association: <i>Provided</i> , That the real estate of which the corporation shall at any time be possessed, shall not exceed the clear yearly value of two thousand dollars.
Proviso.	SECTION 2. That the object of said corporation shall be to provide, erect and furnish a hall and suitable buildings, in the township of Union, in the county of Washington, for the accommodation of the members of Peters Creek lodge number two hundred and forty-eight, of the Independent Order of Odd Fellows, and such other lodges as may be established in said township.
Objects.	SECTION 3. That it shall be lawful for said corporation to have a common seal, and the same at will and pleasure to alter and renew as they think proper.
Seal.	SECTION 4. That the trustees of said association, chosen at such time and in such manner as the said association by its by-laws shall provide, shall have the management and disposition of its affairs and property with which they shall be legally entrusted by said association, and they are hereby declared the proper persons, to sign, seal and deliver conveyances of lands or real estate, which may be sold by said association.
Trustees.	SECTION 5. That the corporation shall have power and authority to make by-laws conformable to this charter, the constitution of this commonwealth and of the United States.
By-laws.	SECTION 6. That the legislature hereby reserves the right to alter, revoke or annul this charter, whenever in their opinion it may be injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators.
Reservation.	

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, A. D. one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 631.

AN ACT

Relative to the Philadelphia Real Estate Savings and Loan Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Philadelphia Real Estate savings and loan company, incorporated by a decree of the court of common pleas of the county

Philadelphia, made the fifth day of March, one thousand eight hundred and fifty-five, shall have power to issue shares of stock of the value of fifty dollars each, in lieu of shares of stock of the value of two hundred dollars each, as authorized by the act of incorporation: *Provided*, That the total amount of the shares of stock so issued shall not exceed in value the aggregate amount of the capital stock authorized by the charter of said company, and all the rights, powers, privileges and franchises contained in the charter of incorporation of said company are hereby confirmed; and the first proviso contained in the second section of an act, entitled "An Act relative to land and building associations," approved March seventh, one thousand eight hundred and fifty-three, shall not apply to the said company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 632.

AN ACT

incorporate the Lafayette Mutual Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

G. Waterman, Hugh Craig, S. S. Bishop, Thomas E. Bax-
ter, John Reynolds, John C. Clark, Franklin Platt, James Bel-
ler, Thomas Bellas, H. W. Arey, Samuel J. Christian, John
Mornley, N. Le Brun, S. K. Hoxie, Henry Beckley, James W.
Martien, Conrad B. Andress, A. M. Eastwick, John U. Giller

Corporators.

Style.	and Charles C. Boker, and all other persons who may hereafter associate with them, shall be and are hereby constituted a body politic and corporate by the name of the Lafayette mutual insurance company of Philadelphia, which shall have perpetual succession, with power and authority to make contracts of insurance with any person or persons, or any body politic or corporate, against loss or any damage of property by fire or any cause of risk, to make all kinds of insurance against loss or damage of goods, merchandize or other property, in course of transportation by land or water or otherwise, and in any vessel or boat or other water craft, and to make insurance upon such goods, wares and merchandize, and to cause themselves to be insured against any loss, damage or risk in the course of their business, for such term or terms of time and for such premium or consideration, and with such modifications and restrictions as may be agreed upon between the said corporation and the persons agreeing with them for insurance, with a capital stock of ten thousand shares of fifty dollars each, and shall have all the privileges, powers and immunities conferred by existing laws of this commonwealth upon the Philadelphia fire and life insurance company, except such as are inconsistent with this act.
Privileges.	
Affairs, how managed.	SECTION 2. That the affairs of this corporation shall be managed by a president and thirteen directors, and all vacancies occurring in said board shall be filled by the remaining directors for the remainder of the year for which they were elected.
Elections.	SECTION 3. That after the first election the directors shall be elected by the stockholders on the third Monday of November, annually, at such hour and place within the city of Philadelphia as the directors for the time being shall appoint, of which ten days' notice, in at least two newspapers published in said city, shall be given.
Letters patent.	SECTION 4. That as soon as one thousand shares of the capital stock are subscribed for, and five dollars per share paid in, the governor shall issue letters patent, incorporating the subscribers to said stock into a body politic and corporate; and in all elections each share of stock shall entitle the holders thereof to one vote: <i>Provided</i> , That this corporation shall not issue scrip in payment of dividends, or any paper, bill or note to be circulated as bank notes, nor exercise any banking privileges whatsoever.
Proviso.	

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 633.

A N A C T -

To incorporate the Phoenix Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* David Reeves, Samuel J. Reeves, Robert S. Buck, Samuel A. Whittaker, Robert C. Nichols, George Walters, C. B. M'Alister, James Millikin, Samuel Millikin, junior, Charles W. Morris, William Stokes, Nathan Beekley, and such other persons as shall be associated with them and their successors, be and he same are hereby erected into a body corporate and politic, by the name, style and title of the Phoenix iron company, with capital stock of five hundred thousand dollars, with power to increase the same to fifteen hundred thousand dollars, to be divided into shares of one hundred dollars each.

Corporators.

Name and capital

SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be the president, who shall be chosen by the stockholders; the first election shall be held within six months after this act shall take effect; of which election public notice shall be given at least four weeks, in one newspaper published in the county of Chester; and subsequent elections shall be held at such time and place annually as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in, shall entitle the holder to one vote, in person or by proxy: *Provided*, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected; and in case of the death or resignation of any director, the remaining directors may elect a person to serve until the next annual election.

Election of officers

Votes.

Provide.

Vacancies.

SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter or amend at pleasure, and by the style and title aforesaid shall be capable in law, to sue and be sued, before any court in this commonwealth, and may do and make all needful rules, regulations and by-laws, for the well ordering of the business affairs of the corporation, so that the same shall in nowise conflict with, or be contrary to the laws and constitution of the commonwealth, or of the United States.

Privileges.

SECTION 4. That the said corporation, by the name aforesaid, may hold in Chester and other counties, lands not exceeding five thousand acres at one time, with power to mortgage, sell, lease, or otherwise dispose of the same or any part thereof; and the capital of the company may be employed in mining iron ore, making and manufacturing iron, mining coal and limestone, and transporting and vending the same, and for such other objects as may be necessary in the prosecution of said business.

Lands.

SECTION 5. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation.

Transfers.

- Dividends.** SECTION 6. That dividends may be declared and paid whenever the directors deem it advisable; but said dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto, shall severally be liable to the corporation in their individual capacity, for the excess so divided and paid; and said company shall pay into the treasury of the state, a bonus of one half of one per centum, upon the amount of the capital stock, and any increase of the same payable in four annual instalments, the first whereof shall be paid in one year from the date hereof.
- Bonus.**
- Letters patent.** SECTION 7. That this act shall not take effect until one thousand shares shall be subscribed and paid in, of which a statement, containing the names of the subscribers and the amount subscribed by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth, whereupon the governor shall issue letters patent to the corporators.
- Subscriptions.** SECTION 8. That the subscriptions of stock may be paid in real and personal estate, appropriate to the business contemplated by this act, at a bona fide cash valuation, to be agreed upon by a majority in interest of the subscribers and stockholders; and the said corporation may issue bonds, and sell the same at their market value, notwithstanding it may be less than par: *Provided*, That no bond shall be issued for a less amount than one hundred dollars.
- Reservation.** SECTION 9. That the legislature hereby reserves the right to amend, alter, or repeal this charter, at any time, in such manner, however, as shall not do injustice to the corporators.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 634.

AN ACT

To incorporate the Columbia Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Charles B. Penrose, Lee W. Buffington, M. D., and John C. Sims, or a majority of them, and their associates, successors and assigns, be and they are hereby created and constituted a body corporate and politic, by the name, style and title of The Columbia coal and iron company, the capital stock of which company shall be five hundred thousand dollars, with the privi-*

lege of increasing the same in the sum of two hundred and fifty thousand dollars more, and the said company may hold not exceeding three thousand acres of land at any one time, in the counties of Columbia and Montour; and the said company shall have the same powers, liberties, privileges and immunities, and be subject to the same terms and conditions, as are imposed on the Anthracite iron company, passed the twenty-fifth day of May, Anno Domini one thousand eight hundred and thirty-nine; and the said company are hereby further authorized to employ such portion of their capital as may be necessary in mining coal, constructing railroads, not to extend within the limits of Luzerne county, and in transporting to market and in vending the produce of their lands and mines, and in dealing in such articles of personal property as may be necessary to enable them successfully to carry on their operations: *Provided*, That the said company shall pay to the commonwealth a tax of one-half of one per centum on its capital stock, in five annual instalments, the first whereof shall be paid before this act shall go into effect.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 635.

A FURTHER SUPPLEMENT

To an act to incorporate the First Reformed Congregation of the borough of York and its vicinity, passed the fourteenth day of March, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the more convenient management of the cemetery under their care, the persons elected, or who may from time to time be elected trustees, in conformity with the act to which this is a supplement, shall be and hereby are created and constituted a distinct body corporate, under the name and title of The trustees of Prospect Hill cemetery, and by that name shall be able and liable to sue and be sued in any court of law or equity, and may have and use a common seal; and the title in fee simple of such land as has already been purchased, or may hereafter be purchased by them, for the purpose of a cemetery, shall be and hereby is vested in the said corporation, which shall be entitled to all the privileges and subject to all the restrictions provided for in relation to the said cemetery by the act and the supplement to the act to which this is a further supplement.

Titles to lots.

SECTION 2. That a certificate, under the seal of the said corporation, of the ownership of any lot or lots in the said cemetery, shall in all respects have the same effects as any conveyance from the said corporation of such lot or lots would have if executed, acknowledged and recorded as conveyances of real estate are required to be.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 636.

A FURTHER SUPPLEMENT

To the act, entitled "An Act authorizing the Governor to incorporate the President, Managers and Company of the Lewisburg and Jersey Shore Turnpike Road and Bridge Company," passed the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-five, and the supplement to the same, passed the fourteenth day of April, one thousand eight hundred and fifty-one.

May increase
capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Jersey Shore bridge company may increase the capital stock of said company to a sum equal to the actual cost of the same, including the original subscription, the cost of constructing the road between the bridges and re-building of the east bridge, in pursuance of resolutions or by-laws adopted by the president and managers thereof; and all such loans, advancements or payments required to be made, or that hereafter may be required to be made by such resolution or by-law, shall be collected and enforced, by suit or otherwise, as debts of like amount are by law collectable, and upon failure to collect in that manner, then by forfeiture, for the use of the company, of so much of the interest of said delinquent in the stock or dividend as the president and managers may determine to be a fair equivalent for said delinquency; that no stockholder shall be entitled to vote at any election or meeting of stockholders who has not complied with all such resolutions or by-laws, and that all stockholders having fully complied with the same, shall be entitled to one vote for every share of stock held or owned by him, her or them.

May construct
railroad, turnpike
or plank road.

SECTION 2. That the said Jersey Shore bridge company shall have the right and power to construct a railroad, turnpike or plank road from the West Branch division of the Pennsylvania canal, or any other point within the borough of Jersey Shore,

in the county of Lycoming, across the West Branch of the Susquehanna, by way of the bridges and turnpike road between the ridges belonging to said company, and thence by the nearest and best route to form a connection with the Sunbury and Erie railroad, with the privilege of crossing or using such part or parts of the streets or public roads, for the purposes aforesaid, as may be necessary or expedient; subject to all the provisions and restrictions, and with all the powers and privileges contained in an act, entitled "An Act regulating railroad companies," passed the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and an act, entitled "An Act regulating turnpike and plank road companies," passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto. Subject o.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 637.

AN ACT

to incorporate the Philadelphia Steam Tug Company for saving and protecting property.

WHEREAS, It is manifest that the incorporation of a company with the proper means and appliances for saving wrecked property, and to aid ships and vessels in distress and stranded in the Delaware river and bay and on the coast adjacent thereto, would be of great benefit to commerce generally, as well as to the merchants, traders and insurance companies of Philadelphia; and the construction and equipment of the necessary steamboats and other vessels, steam pumps and all the appliances adequate for that purpose, will require an amount of capital beyond the ability of any individual enterprise; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Arthur G. Coffin, William Martin, Richard S. Smith, John R. Wuckerer, Charles S. Riche, William Craig, John Stewart, George F. M'Calmont, Joseph Copperthwait, Edward Harris Miles, William B. Norris, Diller Luther, John C. Montgomery, John H. Diehl and Clement S. Kutter, shall be and they are hereby appointed commissioners for the purpose hereinafter mentioned, that is to say, they or a majority of them are hereby authorized to receive subscriptions from all persons duly qualified and desirous of taking stock in the company to be in- Commissioners. Duties.

incorporated by this act; and the form of such subscription shall be as follows, viz: We, whose names are hereunto subscribed, do severally promise to pay to the Philadelphia steam tug company for the saving and protecting property, the sum of fifty dollars for each and every share of stock set opposite to our respective names, at such times and in such instalments as the directors of the said company may require; and the said persons at the time of subscribing shall pay to the said commissioners an instalment of five dollars on each share of stock by them respectively subscribed.

Style. SECTION 2. That the aforesaid persons, and those who may hereafter subscribe to the stock of said company, and their successors and assigns, shall be a body corporate and politic in law, by the name, style and title of the Philadelphia steam tug company for saving and protecting property, and by the said name, style and title the said company shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, and to have a common seal and the same to break, alter and renew at pleasure, and to receive, purchase, possess, employ, hire and dispose of steamboats, steam tugs and other vessels, duly equipped with steam pumps, life boats and all other apparel, appurtenances and things necessary to be used for the purpose of saving and protecting all ships and other vessels and their cargoes wrecked or in danger and distress, and the steam engines and all other machinery and appurtenances whatever, necessary for the propulsion and navigation thereof and for the purposes aforesaid.

Capital stock. SECTION 3. That the capital stock of the said company shall consist of two thousand shares of fifty dollars each, subscribed for as aforesaid; and if any subscriber, his or her assignee or transferee shall refuse or neglect to pay the second or any subsequent instalment called for and demanded by the directors, as aforesaid, such subscriber, his or her assignee or transferee shall forfeit each and every share on which payment shall not be duly made, within thirty days after the same has been so called for and demanded as aforesaid, together with all moneys or instalments before paid on such shares so forfeited, and such subscriptions may be opened and received for the share or shares so forfeited.

Directors. SECTION 4. That the affairs of the said company shall be managed by five directors, stockholders of the said corporation, who shall be elected as soon as one thousand shares shall be subscribed, and for that purpose the said commissioners, or a majority of them, shall appoint a day and fix a place for holding an election, of which they shall give ten days' notice in the newspapers published in Philadelphia, and annually thereafter the directors of the said company shall be elected on the first Monday in June, between the hours of ten, A. M., and two P. M., by the stockholders and by ballot, each share of stock having one vote, ten days' notice of which shall be given by the secretary of the company; and the directors so elected shall appoint a president, treasurer and secretary of the company, and all such other officers, agents or persons as they may deem necessary for conducting and carrying on the business of the corporation, and fix the salaries of all such officers, agents or persons employed in the business of the company, and require

Election.

President, &c.

from any or each of them such securities for the faithful performance of their respective duties as they may deem to be expedient; and they shall have power to make and establish such by-laws, rules and regulations as to them may seem proper for the well ordering and conducting of the affairs of the said company. Bonds.
By-laws.

SECTION 5. That the shares of stock of the said corporation shall be assignable and transferable only on the books of the company, according to such rules and regulations as the directors may establish. Transfer of stock.

SECTION 6. That the directors of the said company may, if they deem it advisable for the interests of the said corporation, on the first Monday in May of each and every year, declare a dividend of so much of the profits as they may deem expedient, and the dividends so declared shall be paid to the stockholders subject to such rules and regulations as the directors shall make, for that purpose. Dividends.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 638.

AN ACT

to incorporate the Stout's Ferry Bridge Company, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Stout, Isaac Eckert, Simon Hoyer, Daniel Baum, Samuel Moser, Jacob Leinbaugh, Daniel Aulenbaugh, John Koenig, Abraham Rieser, Abraham B. Tobias, George Maurer, George Metler, Reuben Harbine, Abraham Harbine, John Zacharias, John Zacharias, junior, Jonathan Koenig, Jonas Shalter, Samuel Jengle, George Shalter, George Fox, William Dunkel, Jacob Kallbauch, D. L. Beaver, Peres Hehn, Jacob S. Ebling, Jacob Ahrens, J. H. Spatz, Jacob Rieser, Daniel Maurer, Peter Rothermel, Levi Good, Thomas Murphy and Jonathan Bitner, be and they are hereby created commissioners to organize a bridge company, under the name and style of the Stout's ferry bridge company, in the county of Berks, with a capital of ten thousand dollars, divided into shares of twenty-five dollars each, with power to increase the same, so far as may be necessary for the purpose of constructing of bridge across the Schuylkill river, at or near Stout's ferry, in said county; said company to be organized, managed and governed as is provided by an act regu- Commissioners.
Style.
Capital stock.

Subject to.

Tolls.

lating bridge companies, passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, with all the privileges and immunities, and subject to all the restrictions contained in said act, except as herein modified.

SECTION 2. That when a good and complete bridge is erected over said Schuylkill, at the place aforesaid, the company, their successors or assigns may demand and receive toll from travelers and others crossing the same, not exceeding the following rates: For every score of sheep, four cents; for every score of hogs, six and a fourth cents; for every score of horned cattle, twelve and a half cents; and so in this proportion for greater numbers; for every horse or mule, laden or unladen, with rider, three cents; for every chair, chaise or sulky, with two wheels and one horse, six and a fourth cents; the same with two horses, nine cents; for every dearborn wagon, with one horse, six and a fourth cents; for every chaise, coach, phaeton, chair, stage, wagon, coachee or light wagon, with four wheels and two horses, twelve and a half cents; for either of the last named carriages or vehicles, with four horses, eighteen and three-fourth cents; for every other carriage of pleasure, under whatever name it may go, the like sums of toll, according to the number of wheels or horses drawing the same; for every sled or sleigh, three cents for each horse drawing the same; for every cart, wagon, or other carriage of burden, four cents for each horse drawing the same, and two oxen shall be rated as one horse or mule; for every foot passenger crossing the bridge, one cent.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 639.

AN ACT

To incorporate the Fairfield Town Hall Association.

Corporators.

Style.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That William Weaver, Nathaniel Burrows, George Babb, F. F. Bruner, John C. Bryan, Samuel Harris, James Dennis, Joseph Hopper, Clemson Buckley, William Brass, and such other persons as may associate with them, their successors and assigns, be and they are hereby created and made a corporation and body politic, by the name and style of The Town hall association, and by that name and title shall have succession, and shall be*

capable in law to sue and be sued, in any court of law and equity, to have and use a common seal, and at pleasure to alter the same, and shall be able and capable in law and equity to take and to hold, to them and their successors, either by grant, gift, devise, or lease, any lands or real estate in the township of Fairfield or borough of Montoursville, and county of Lycoming, for the purpose of erecting thereon a suitable building or buildings to be used as a town hall, for public meetings, lectures, and other purposes, and also to lease and rent the same, for the benefit of the said association: *Provided*, That the real estate of which the said corporation shall be at any time possessed, shall not exceed in value six thousand dollars.

Privileges.

Object.

Proviso.

SECTION 2. The capital stock of the said corporation shall be divided into shares of twenty dollars each, and shall not exceed three hundred shares, to be subscribed for or disposed of from time to time, in such manner as the resolutions or by-laws made in pursuance of this act shall provide.

Capital stock.

SECTION 3. The affairs of the corporation shall be managed by a president and five directors, to be chosen from among the stockholders, the president to be elected by the directors, from amongst their number; the said board of directors shall be elected on the first Monday in January in each and every year, or within sixty days thereafter, and shall continue in office until their successors be duly elected; a majority shall have power to act at all meetings, as if all were present, and may fill any vacancy that may occur in their body by death, resignation, or otherwise; each stockholder shall be entitled to one vote for every share he or she may own not exceeding ten shares, and one vote for every three shares above ten shares.

Affairs, how managed.

SECTION 4. The president and directors shall from time to time declare dividends of the profits realized, if any, by the company, or so much thereof as a majority shall deem expedient: *Provided*, That no such dividends shall be made until all the debts of the corporation shall have been first paid.

Dividends.

SECTION 5. The said board of directors shall at their first meeting, and annually thereafter, elect one person to act as secretary and treasurer of the said corporation, whose duties shall be defined by the said board of directors.

Secretary and treasurer.

SECTION 6. That the shares of stock aforesaid may be transferred, in person or by attorney, in a book provided for that purpose, in presence of the president or secretary, and certificates of stock shall be issued to stockholders, signed by the president and secretary.

Transfer of stock.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 640.

AN ACT

To incorporate the Lynn Mutual Fire Insurance Company of Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel H. Creitz, Joseph Saliday, M. D., Samuel Camp, Peter Snyder, David Follwiler, William Moser, Levi Kistler, Aaron Donat, Henry Long, Daniel F. Lutz, and Phaon P. Haas, and such other persons as are or may be associated with them, under the authority of this act, being citizens of Lynn township, Lehigh county, their successors or assigns, are hereby made a corporation, by the name of the Lynn mutual fire insurance company of Lehigh county; and they and their successors are hereby made a body politic and corporate, in law, with all the legal incidents of a corporation: *Provided,* That they shall not have power to hold a greater amount of real estate than is necessary for the use of the corporation, in the transaction of the business thereof, or such as shall be taken in security for, or in payment of debts; nor shall the yearly income thereof exceed two thousand dollars; nor shall any by-laws be repugnant to this act, the constitution of the United States, or this commonwealth.

SECTION 2. That the said corporation shall be entitled to all the privileges, and subject to all the liabilities contained in the act, entitled "An Act to incorporate the mutual fire insurance company of Berks county," approved the thirty-first day of January, Anno Domini one thousand eight hundred and forty-five.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESLER,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 641.

AN ACT

To extend the Charter of the Northampton and Luzerne Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

e charter of the Northampton and Luzerne coal company, be and the same is hereby extended and continued for the term of seven years, from the expiration of its present charter, and during that time it shall be subject to all the restrictions and provisions, and shall enjoy and exercise all the immunities and privileges contained in its charter, passed the twenty-sixth day of June, one thousand eight hundred and thirty-six, and the supplements thereto: *Provided*, That nothing contained in said charter, shall be construed to exempt said company from the payment of taxes upon their capital stock, as is or may be provided by law in relation to taxes on corporation stocks.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 642.

AN ACT

To incorporate the Tioga Building and Manufacturing Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Bel Humphrey, Vine De Pui, B. C. Wickham, A. C. Bush, J. Bush, John W. Guernsey, F. E. Smith, C. H. Seymour, T. Berry, P. S. Tuttle, Edward Bayer, E. S. Doughty, T. L. Baldwin, Carpenter H. Place and Lyman H. Smith, or any three or more of them, be and they are hereby appointed commissioners to do and perform the following duties, that is to say:—they shall, at such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act, and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed, and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors for the time being, to receive such subscriptions of stock, until the whole amount thereof shall be taken.

SECTION 2. That the capital stock of said association shall not be more than fifty thousand dollars, in shares of twenty dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which stock

Annual election. SECTION 8. That the annual election of president and directors of said association shall be held at such place as may be fixed by the by-laws, on the first Monday of July in every year, of which notice shall be given by the secretary at least two weeks previously, in at least one paper published in the county of Tioga.

Alteration of by-laws. SECTION 9. That the stockholders of said association shall have power at any general meeting for the election of president and directors, or any meeting called for the purpose, to alter or amend the by-laws enacted by the board of directors.

Reservation. SECTION 10. That the legislature hereby reserve the right to alter, revoke or annul the privileges and charter hereby granted, whenever the same shall become injurious to the citizens of this commonwealth, in such manner, however, that no injustice shall be done to the corporators.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five. JAMES POLLOCK.

No. 643.

AN ACT

To incorporate the Safe Harbor Iron Company.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Reeves, Samuel J. Reeves, George Abbott, Charles H. Abbott, and John Griffin, Joseph Pancoast, Charles W. Morris, James Millikin, Samuel Millikin, junior, Isaac Pennock, William Stokes, Wyatt W. Miller, Bartram A. Shaeffer, George M. Steinman, and such other persons as shall be associated with them and their successors, be and the same are hereby erected into a body corporate and politic, by the name, style and title of the Safe Harbor iron company, with a capital stock of five hundred thousand dollars; with power to increase the same to fifteen hundred thousand dollars, to be divided into shares of one hundred dollars each.

Style.

Capital.

Elections. SECTION 2. That the affairs of said company shall be managed by a board of five directors; one of them shall be the president, who shall be chosen by the stockholders; the first election shall be held within six months after this act shall take effect; of which election public notice shall be given, at least four weeks, in one newspaper published in the county of Lancaster, and subsequent elections shall be held at such time and place annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in, shall entitle the holder to one

Votes.

e, in person or by proxy : *Provided*, That in case of failure *Proviso.*
 hold an election under this act, the former directors shall con-
 tinue in office until their successors be duly elected ; and in case
 the death or resignation of any director, the remaining direc-
 tors may elect a person to serve until the next annual election.

SECTION 3. That this corporation shall have authority to hold *Vacancies.*
 use a common seal, and the same to change, alter or amend
 pleasure, and by the style and title aforesaid shall be capa-
 in law to sue and be sued, before any court in this common- *Privileges.*
 wealth and may do and make all needful rules, regulations and
 laws, for the well ordering of the business affairs of the corpo-
 ration, so that the same shall in nowise conflict with, or be
 contrary to the laws and constitution of the commonwealth or
 the United States.

SECTION 4. That the said corporation, by the name aforesaid, *Lands.*
 hold in Lancaster and adjoining counties, lands not exceed-
 five thousand acres at one time, with power to mortgage, sell,
 se, or otherwise dispose of the same, or any part thereof, and
 capital of the company may be employed in mining iron
 , making and manufacturing iron, mining coal and limestone,
 transporting and vending the same, and for such other ob-
 jects as may be necessary in the prosecution of said business.

SECTION 5. That the stock may be transferred agreeably to *Transfers.*
 by-laws which may be adopted by the corporation.

SECTION 6. That dividends may be declared and paid when- *Dividends.*
 er the directors deem it advisable; but said dividends shall
 no case exceed the amount of actual profits acquired by the
 poration; and if the directors shall make a dividend of more
 n the actual net profits, the directors consenting thereto,
 all severally be liable to the corporation in their individual
 capacity, for the excess so divided and paid; and said company
 shall pay into the treasury of the state a bonus of one half of
 per cent. upon the amount of the capital stock paid in, and
 increase of the same payable in four annual instalments, *Bonus.*
 the first whereof shall be paid in one year from the date hereof.

SECTION 7. That this act shall not take effect until one thou- *Letters patent.*
 sand shares shall be subscribed and paid in, of which a state-
 ment containing the names of the subscribers, and the amount
 subscribed by each, shall be given to the governor, to be filed in
 the office of the secretary of the commonwealth, whereupon the
 governor shall issue letters patent to the incorporators.

SECTION 8. That subscriptions of stock may be paid in real *Subscriptions.*
 and personal estate, appropriate to the business contemplated
 by this act, at a bona fide cash valuation to be agreed upon by
 majority in interest of the subscribers and stockholders, and
 the said corporation may issue bonds and sell the same at their
 market value, notwithstanding it may be less than par : *Pro-*
vided, That no bond shall be issued for a less amount than one
 hundred dollars.

SECTION 9. That the legislature hereby reserves the right to *Reservation.*
 amend, alter or repeal this charter at any time, in such manner,
 however, as shall not do injustice to the corporators.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand
 eight hundred and fifty-five.

JAMES POLLOCK.

No. 644.

SUPPLEMENT

To an act, entitled "An Act to incorporate the Duncannon, Landisburg and Broad Top Railroad Company."

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the Duncannon, Landisburg and Broad Top railroad company shall be named, instead thereof, the Shermans Valley and Broad Top railroad company, with all the powers, privileges and authorities they had under the former name, and be subject to all the restrictions and liabilities to which they were subject under the same.

Name changed.

SECTION 2. That said Shermans Valley and Broad Top railroad company shall have power and they are hereby authorized to change the eastern terminus of said railroad from Duncannon, in Perry county, to the mouth of Fishing creek, in said county, with all the rights, privileges and powers to connect their railroad, at or near the mouth of said Fishing creek, with the Pennsylvania railroad, which are given in the act to which this is a supplement; and that the said Shermans Valley and Broad Top railroad shall pass, as a point on the route thereof, the Burnt Cabins, in Fulton county.

Eastern terminus.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 645.

AN ACT

To incorporate the Farmers' American Mutual Fire Insurance Company of Bucks County.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John Moyer, David B. Fulmer, Aaron Lawbach, W. T. Gerhard, David W. Hess, Michael Fackenthall, George Mill, Justis McCarty, Jacob Fackenthall, Peter Jacoby, Isaac Wolfinger, Nicholas Buck, Joseph Trauger, John Clemens, Charles Manna and S. L.

Corporators.

IXSON, and their associates, successors and assigns, are hereby created and constituted a body corporate, by the name, style and name of the Farmers' American mutual fire insurance company

Style.

Bucks county, to be located in Bucks county, with all the legal incidents of a body politic and corporate in law; this company shall not hold any property except what may be absolutely necessary for the transaction of their corporate business; and all real estate purchased by said company for the purpose of collecting or securing debts shall escheat to this commonwealth, unless the same shall have been sold and disposed of and passed *na fide* from the possession and ownership of said corporation within three years next succeeding such purchase; nor shall any laws be repugnant to this instrument, to the constitution of the United States or this commonwealth.

Privileges.

SECTION 2. That the power of this association shall be vested in thirteen managers; at the first meeting of the board of managers the members of said board shall be divided into four classes, three of which shall consist of three members each and one of four members; the seats of the first class shall be vacated at the expiration of the first year; of the second class, at the expiration of the second year; of the third class, at the expiration of the third year, and of the fourth class, at the expiration of the fourth year, so that one class shall be chosen every year; and if vacancies occur in the board, by death, resignation or otherwise, the president of the board for the time being may apply such vacancy, by appointment, until the next annual meeting, when the members of the company shall fill such vacancies by ballot, each member to be entitled to one vote only, and that no proxy votes shall be given.

Managers.

SECTION 3. That each insurer in or with this company shall be a member thereof during the term of his or her policy, and no longer.

Membership.

SECTION 4. That general meetings of this company shall be held annually, on the first Saturday of November, at any convenient place in the northern part of Bucks county, and also whenever called by the board of managers, or whenever requested by twenty members; and the members shall at such general meetings pass all by-laws, rules and regulations necessary for the well government of the affairs of the corporation, and vest the powers so to do in the board of managers; and all elections shall be by ballot, each member entitled to one vote; and the said elections to be conducted by three judges chosen by the members present for that purpose, who shall certify under their hands the result of said election, and the same shall be filed with the papers of the corporation; the managers for the time being shall choose from among their own members one to be president, and shall, from time to time, as it may be necessary, choose a treasurer, also appoint a secretary and such other agents and officers as may be necessary, and fix their respective fees and salaries, and require such bonds for the faithful discharge of the duties assigned as may be deemed necessary of the interest of the company may require, and shall have full power to suspend, remove or displace any such officer or agent of the company, and supply any such vacancy which may happen by death, removal or resignation from among their own members, until the next election; and shall procure a book or books, wherein shall be fairly and legibly entered all the transactions of said board of managers, which books shall at all

General meetings

By-laws:

Elections.

President and officers.

times be open for inspection of the members of said corporation; and a copy or copies thereof, signed by the president and attested by the secretary for the time being, shall be deemed and taken as legal evidence against the said corporation as the transaction of said board of managers, a copy of which shall be furnished at the request of any member; and said officers shall, at the annual meeting of the members, present to the company a general and detailed statement of its affairs.

Insurances.

SECTION 5. That the president and managers shall have full power, on behalf of said corporation, to make insurances against loss by fire and storm, on any house, tenement, manufactory, barn or other buildings, and on goods, wares, merchandize and effects, and on household furniture therein, and on hay, grain and other agricultural products in barns, stacks or otherwise and generally on all kinds of goods, wares and merchandize and effects, except books of accounts, bills, bonds, ready money, jewels, plate, paintings, engravings, powder and powder mills, distilleries, print works, cotton, woollen and varnish manufactories; to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments as shall or may be necessary and as the nature of the case shall or may require; and every such contract, agreement or policy to be made by the said corporation, shall be signed by the president and attested and signed by the secretary, and also shall be signed by the party insured; and the president and managers are hereby empowered to have made and to procure a seal, with such device as they may deem proper, to be used by them as the common official seal of the company.

Investment of funds.

SECTION 6. That it shall be lawful for said company to employ and improve all moneys received by them, and the profits thereof, in the purchase of any ground rents or mortgages, or any loans or stocks of the United States or of this commonwealth; and no money shall be drawn from the funds of the said company for the purpose of making dividends or dividing profits, nor for other purposes than to defray the current and incidental expenses of the corporation; and when the profits or interest on the company's funds shall annually exceed the current and incidental expenses of the company by the sum of one hundred dollars, then such excess, if thought expedient and judicious by the board of managers, may be applied to the payment of such losses as any member of said company may be justly entitled to; and when the just demands of any insured in said company or member thereof shall exceed the amount of its available funds on hand, such sums as shall be necessary to pay the same, shall, without unnecessary delay, be assessed, by any three of the board of managers appointed by the president, on the insurances, each member to pay in proportion to the amount he has insured, and publish the same; and all and every of the members of the company shall pay into the hands of the treasurer, his, her or their proportionable parts of such rates within sixty days after such publication as aforesaid, and in default thereof shall be proceeded against according to the provisions of this act.

Assessments.

Losses, how ascertained.

SECTION 7. That all and every member of this company who shall sustain any loss by fire or storm, shall give notice in writing, within thirty days, to the president or secretary of said company, who shall appoint a committee of three from the board of managers, that shall assess said damages, and report

he same to the board of managers within two weeks from the time of their receiving information of their appointment; the said managers, with all convenient expedition, shall, after receiving said report and ascertaining the sum which said party shall be lawfully entitled to, make provision and payment, as therein is specified.

SECTION 8. That the members shall at their general meetings fix such rates of insurance and incidental charges and fees, as may be deemed equitable and proper, or vest the power so to do in the board of managers, and any person who shall become a member of this corporation by effecting insurance therein, shall, at the first time he effects insurance, and before he, she or they receive his, her or their policy, pay the rates that shall be fixed and determined upon, and no premium so paid shall ever be withdrawn from said company during the continuance of its charter.

Rates of insurance.

SECTION 9. That in case, any insured named in any policy or contract of insurance made by the said corporation shall sell, convey, or assign the subject insured, it shall be lawful for such insured to sign and deliver to the purchaser such policy or contract of insurance, and such assignee shall have all the benefits of such policy or contract of insurance, and may bring and maintain a suit on his or her own name: *Provided*, That before any loss happen, he or she shall obtain the consent of the president or secretary to such assignment, and have the same endorsed on or annexed to such policy or contract of insurance, to be according to the foregoing directions for that purpose, and not otherwise.

Transfers of policies.

SECTION 10. That the net profits arising from interest, or otherwise, shall be ascertained annually, to every member, in proportion to his, her or their deposit, for which each member shall have a credit in the company, after deducting the necessary expenses; nothing in this charter to be construed as to allow any of the funds of the association to be used for banking or manufacturing purposes.

Dividends of profits.

SECTION 11. That if at any time it shall appear that the chartered privileges hereby granted are injurious to the public welfare, the power thereof to repeal shall not affect any engagement to which the said company may have become a party previously thereto, and that the said company shall have a reasonable time to bring their accounts to a fair settlement.

Reservations.

SECTION 12. That the first thirteen named persons in this act shall constitute the first board of managers, with power to organize the corporation, and appoint a president and other officers and agents, agreeable to the spirit of this act, and to hold their power and authority until the next election, as is herein provided, with all the power contemplated to be vested in the board of managers elected by the company under the authority of this act.

Managers.

SECTION 13. That no policy shall be issued by the corporation until application be made for insurance to the amount of two hundred thousand dollars.

Policies.

SECTION 14. That suits of law may be prosecuted and maintained by any member against the corporation, for losses or damage insured by them, if payment is withheld for more than ninety days after the company is duly notified of such losses: *Provided nevertheless*, That the board may if they think proper, rebuild or replace the property lost or damaged, in which case

Suits against company.

Proviso.

a reasonable time shall be allowed to rebuild or replace the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 646.

A SUPPLEMENT

To the act passed the twenty-ninth day of January, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Board of Colportage of the Synod of Pittsburg."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the corporate name of the Board of Colportage of the Synod of Pittsburg be and the same is hereby changed to the Board of Colportage of the Synods of Pittsburg and Allegheny.*

Name changed.

SECTION 2. That the said board of colportage be increased by the addition of three ministers and three elders, to wit: William S. Plumer, minister, and T. H. Nevin, elder, to serve until the next regular annual meeting of the Synod of Allegheny; James M. Smith, minister, and William Campbell, elder, to serve for one year after said next annual meeting of said synod; and B. C. Critchlow, minister, and John Reynolds, elder, to serve for two years from and after the next annual meeting of said synod.

Board increased.

SECTION 3. That hereafter the Synod of Pittsburg shall, at each regular annual meeting, elect or choose three ministers and three elders connected with the church within the bounds of that synod, to serve three years to supply vacancies regularly occurring in the board; and that the Synod of Allegheny shall in like manner, at each regular annual meeting, elect or choose three ministers and three elders connected with the church within the bounds of that synod, to serve three years to supply vacancies regularly occurring in the board.

Election of board.

SECTION 4. That the annual meeting of the board shall as heretofore be held on the Wednesday of the meeting of the Synod of Pittsburg, or nearest thereto, unless the Synods of Pittsburg and Allegheny shall by joint resolution fix some other time for such meeting; the semi-annual meeting to be held within six months from and after the annual meeting, unless otherwise fixed by such joint resolution.

Annual meeting.

SECTION 5. That in case of a vacancy occurring in any way among the members of the board from either synod, such va-

Vacancies.

ancy shall be filled as provided by the ninth section of the act which this is a supplement, by the board, until the next stated or special meeting of the synod entitled to fill such vacancy, at which time such synod may supply such vacancy for the unexpired term if any of the person or persons by whom such vacancy occurred.

SECTION 6. That any powers of direction and control of the said board which may be given to the Synod of Pittsburg by the third, seventh and tenth sections of the act to which this is a supplement, shall be enjoyed as well by the Synod of Allegheny as by the said Synod of Pittsburg, and shall be exercised by or under a joint resolution or action of said synods. Powers of control.

SECTION 7. That those members of the board of colportage who, having at the time of their election been in connection with the Synod of Pittsburg, but who in consequence of the division of said synod and the formation of the Synod of Allegheny, are now no longer connected with the Synod of Pittsburg, shall continue to be members of the board notwithstanding their change of ecclesiastical relation, until the expiration of the term for which they were respectively elected. Membership of board.

SECTION 8. That so much of the act of assembly to which this is a supplement as is supplied or altered hereby, or is inconsistent herewith, be and the same is hereby repealed. Repeal.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 647.

A SUPPLEMENT

to an act to incorporate the Meadville, Western and Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the Meadville, Western and Mutual Insurance company be and the same is hereby changed to, and said corporation shall hereafter be known by the name of the Great Western insurance company, with all the rights, privileges and immunities, and subject to all the provisions and penalties provided for and enjoined by the act incorporating said company: *Provided,* That this section shall not take effect until fifteen hundred shares of the capital stock is subscribed and ten per centum paid in upon the same, and until this section is ac-

APPENDIX—1855.

cepted and approved of by the board of directors of the
Meadville, Western and Mutual insurance company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 648.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Wilkesbarre Cemetery Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name of the Wilkesbarre cemetery association, be and hereby is altered and changed to that of the Hollenback cemetery association of Wilkesbarre and its vicinity; the said corporation to be hereafter known and called by such new name, and to continue under the same government, to be subject to the same rules and regulations, and entitled to the same rights and privileges, and in the same manner, as if the name thereof had not been changed.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domine one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 649.

AN ACT

Incorporating the Pemberton Fire and Marine Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

ace by them designated, said advertisement to be inserted at least six days preceding said meeting, who shall then proceed to choose a president, secretary and directors, and such other officers as shall be deemed expedient, for the term of one year, and until another election; said election shall be made by ballot and by a plurality of the votes of the subscribers or their representatives authorized by power of attorney, which shall at no time bear date more than thirty days immediately preceding such election, allowing each member one vote for every hundred dollars insured, according to section eighth of this act, but not otherwise; and every person who is a subscriber to the capital stock of the said corporation shall be entitled to one vote at the first election or any subsequent election: *Provided*, He shall pay into the hands of a receiver appointed by the commissioners of the said company, five per centum of his subscription, before the organization of the board of directors shall have taken place, and continue to pay his instalments upon said subscription of stock, according to the rules and regulations adopted by the board of directors, but not otherwise; and if any person fail to pay any instalment or instalments when called by a vote of the company, he, she or they shall forfeit to said company all their shares or interest therein, unless a failure to pay be in consequence of the death of the party subscribing or holding said stock; and that no person shall be eligible to the office of president or secretary unless at the time of his election he shall be the legal proprietor of at least ten shares of the capital stock of this corporation, and shall have paid his subscription according to the foregoing section of this act.

SECTION 10. That after the organization of this corporation it shall be the duty of the secretary to call an annual meeting of the members and stockholders on the first Tuesday of each year, after the year one thousand eight hundred and fifty-five, for the election of president, secretary and directors, and such other officers as may be deemed necessary; and the secretary shall give ten days' notice in one or more papers published in the city of Philadelphia, setting forth the object of said meeting; but if it shall happen that an election of president, secretary or directors does not take place on the day which pursuant to this act it ought to have taken place, this corporation shall not for that cause be dissolved, but it shall be lawful on any other day to hold and make an election of directors and officers, in such manner as shall have been provided for in the by-laws and ordinances of said corporation and in accordance with this act.

Annual meetings.

Elections.

SECTION 11. That within thirty days after the annual meeting it shall be the duty of the secretary of this corporation to publish, in one or more papers in the city of Philadelphia, a report, stating the amount of premiums received, losses and expenses paid during the year, the amount at risk in all departments of the business, and a general balance sheet of the affairs of said company.

Annual report.

SECTION 12. That the property insured by said corporation against fire may be divided into two classes, and be insured in two distinct departments, one of which shall be called the mutual department, the other the stock department; and all persons insuring may designate in their applications in which of said departments they wish to insure, and receive a policy therein; and whether insured in the stock or mutual departments, they shall not be liable beyond all obligations given in

Insurance.

- payment for premiums or for stock subscribed according to this act.
- Liability of funds** SECTION 13. That the funds received in each department shall be liable only for losses occurring therein; and no member of the stock department shall be in any way liable to pay losses occurring in the mutual department, and no member of the mutual department made liable to pay losses occurring in the stock department of said corporation; and the policy issued in each shall particularly designate in which department they are insured.
- Liability of members.** SECTION 14. That every member of said company insured in the stock or mutual department, shall be bound to pay for losses and expenses occurring in and to said company in proportion to the amount of stock he holds, or the amount of deposit note given; and suits at law may be maintained by said corporation against any member or members, for the collection of all obligations given, or for any other cause relating to the business of said company; and any member or members may maintain suits at law against said corporation for losses or damage under their policies, if payment is withheld more than four months after due notice and proof of loss has been made according to the by-laws of said company; and no member of the corporation, not being in his individual capacity a party to such suit, shall be deemed incompetent as a witness in any such cause on account of his being a member of said company.
- Dividends.** SECTION 15. That all members of this corporation complying with its by-laws, shall be entitled to their equitable proportion of all dividends declared by said company in either department in which they may have become associated; but no dividend shall be paid to any member of the mutual department unless they have complied with the provisions contained in sections seventh and fourteenth of this act, for the better security of themselves and the public; and all notes so given shall be made liable for any assessment made in consequence of losses occurring in the mutual department and no other.
- Division of assets.** SECTION 16. That if it should ever occur that the stock of said company should be found insufficient to pay all losses occurring by fire or marine disasters, then and in such case the assets of said company, whether consisting of money, stocks or other property, shall be equitably divided and paid to claimants in proportion to their several amounts insured in this company.
- Policies.** SECTION 17. That all policies or contracts of insurance which may be made or entered into by said corporation, shall be subscribed by the president and secretary, or such other officers as shall be designated for that purpose by its by-laws; and being so signed, shall be binding and obligatory on said corporation without the seal thereof, according to the true intent and meaning of such policy or contract.
- Transfers of stock** SECTION 18. That the stock of said company shall be assignable and transferable on the books of the same or otherwise, according to such rules and regulations, and subject to such restrictions and limitations as the stockholders, at a general meeting, may from time to time adopt and establish.
- Minutes.** SECTION 19. That the secretary shall keep a record of proceedings at all meetings of the directors, pertaining to the business of said company.
- Punishment of embezzlement.** SECTION 20. That any officer, director or agent of the said company who shall knowingly and wilfully defraud the said

ice by them designated, said advertisement to be inserted at least six days preceding said meeting, who shall then proceed to choose a president, secretary and directors, and such other officers as shall be deemed expedient, for the term of one year, and until another election; said election shall be made by ballot and by a plurality of the votes of the subscribers or their representatives authorized by power of attorney, which shall at the time bear date more than thirty days immediately preceding such election, allowing each member one vote for every hundred dollars insured, according to section eighth of this act, but not otherwise; and every person who is a subscriber to the capital stock of the said corporation shall be entitled to one vote at the next election or any subsequent election: *Provided*, He shall pay into the hands of a receiver appointed by the commissioners of the said company, five per centum of his subscription, before the organization of the board of directors shall have taken place, and continue to pay his instalments upon said subscription of stock, according to the rules and regulations adopted by the board of directors, but not otherwise; and if any person fail to pay any instalment or instalments when called by a vote of the company, he, she or they shall forfeit to said company all their shares or interest therein, unless a failure to pay be in consequence of the death of the party subscribing or holding said stock; and that no person shall be eligible to the office of president or secretary unless at the time of his election he shall be the legal proprietor of at least ten shares of the capital stock of said corporation, and shall have paid his subscription according to the foregoing section of this act.

SECTION 10. That after the organization of this corporation shall be the duty of the secretary to call an annual meeting of the members and stockholders on the first Tuesday of each year, after the year one thousand eight hundred and fifty-five, for the election of president, secretary and directors, and such other officers as may be deemed necessary; and the secretary shall give ten days' notice in one or more papers published in the city of Philadelphia, setting forth the object of said meeting; but if it shall happen that an election of president, secretary or directors does not take place on the day which pursuant to this act it ought to have taken place, this corporation shall not on that cause be dissolved, but it shall be lawful on any other day to hold and make an election of directors and officers, in such manner as shall have been provided for in the by-laws and ordinances of said corporation and in accordance with this act.

SECTION 11. That within thirty days after the annual meeting it shall be the duty of the secretary of this corporation to publish, in one or more papers in the city of Philadelphia, a report, stating the amount of premiums received, losses and expenses paid during the year, the amount at risk in all departments of the business, and a general balance sheet of the affairs of said company.

SECTION 12. That the property insured by said corporation against fire may be divided into two classes, and be insured in two distinct departments, one of which shall be called the mutual department, the other the stock department; and all persons insuring may designate in their applications in which of said departments they wish to insure, and receive a policy therein; and whether insured in the stock or mutual departments, they shall not be liable beyond all obligations given in

Duties.

John M. Brown, T. G. Odiene, M. Whiterman, George E. Shoenberger, James J. Faran and John C. Wright, of Cincinnati; H. D. Newcombe, W. J. Colman, William Fellows, George H. Buchanan, George H. Carter, of Louisville, and J. P. Dunn of Madison, and Samuel B. Page, of Brownsville, be and they are hereby appointed commissioners to do and perform the several acts and things hereinafter mentioned, that is to say: they, or such of them as shall act in the premises, not less than twelve, shall, as soon as conveniently may be, and within three months next after the passage of this act, shall procure and open suitable books, at such proper times and places as they may designate, in the cities of Philadelphia, Pittsburg, Wheeling, Cincinnati and Louisville, and at such other places as they may deem expedient, of which times and places at least twenty days' previous public notice shall be given in not less than two daily newspapers published in said cities, in which books they shall enter as follows: We whose names are hereunto subscribed, do promise to pay to the Ohio River improvement company the sum of one hundred dollars for each and every share of stock set opposite to our respective names, in such manner and proportions, and at such times, not exceeding ten dollars per share in any period of sixty days, as shall be determined by the president and directors of said company, in pursuance of an act, entitled "An Act to incorporate the Ohio River improvement company." Witness our hands and seals, the day of , one thousand eight hundred and ; and at the times and places so designated and named in the public notices to be given as aforesaid, the said commissioners, by themselves or by committees to be by them appointed, shall attend and furnish to all persons duly qualified, who shall offer to subscribe, an opportunity of so doing; and it shall be lawful for all such persons, and for firms, co-partnerships and bodies politic and corporate, by themselves or by persons duly authorized, to subscribe for shares in said stock; and the said books shall be kept open at least six hours in every juridical day for the term of five days; and if at the expiration of five days the said books shall not have fifty thousand shares subscribed therein, the said commissioners may adjourn from time to time, and transfer the said books elsewhere, until the whole number of fifty thousand shares shall have been subscribed, of which adjournment and transfer the said commissioners shall give such public notice as in their opinion the occasion may require; and when the whole number of shares before mentioned shall have been subscribed the books shall be closed: *Provided*, That no subscription for such stock shall be valid unless the party or parties making the same shall, at the time of subscribing, pay to said commissioners ten dollars on each and every share, for the use of the company: *And provided further*, That if more than fifty thousand shares shall have been subscribed within ten days, and before the closing of the books as aforesaid, the commissioners shall reduce the subscriptions, pro rata, as near as practicable, in such manner as to them may appear equitable, until the number of shares do not exceed fifty thousand, but no subscription for twenty shares or under shall be so reduced.

SECTION 2. That when one thousand shares or more of the said stock shall have been subscribed, and ten dollars paid on each and every share, as aforesaid, the said commissioners acting in the premises, as aforesaid, or any five of them, shall certify

the governor of this commonwealth the names of the subscribers and the number of shares subscribed by each, and that ten dollars on each have been paid, whereupon the governor shall, by letters patent, under his hand and the seal of this commonwealth, create and constitute the subscribers, (and if the subscription be not full at the time, those who shall thereafter subscribe to the number of shares aforesaid,) their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of The Ohio River improvement company, and by the said name, style and title, the said subscribers shall have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and shall be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and to purchase, receive, have, hold, use and enjoy, to them and their successors, land, tenements and hereditaments, engines, boats, goods, chattels and estate, real and personal, of what kind or quality soever, and the same from time to time to sell, exchange, mortgage, grant, alien, or otherwise dispose of, and to make dividend of such portion of the profits as they may deem proper, not exceeding twelve per centum on the capital stock, and also to make and have a common seal, and the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations, as shall appear necessary or convenient to the government of said corporation, not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of said corporation, and the due ordering and management of the affairs thereof: *Provided*, That nothing herein contained shall be so construed as in any way giving to said corporation any banking privileges whatever, or any other liberties, privileges or franchises but such as may be necessary or convenient to the procuring, owning, making, maintaining, regulating and using said improvement, and other appendages thereof (and the towage of passenger boats, goods, merchandise, commodities and things thereon): *And provided further*, That said company shall not purchase or hold any real estate except such as may be necessary or convenient for the making and constructing of said improvement, or for the furnishing of materials therefor, and for the accommodation of offices, warehouses, machine-shops, toll-houses, and other appropriate appurtenances, and for the persons and things employed or used in or about the same: *Provided*, That the whole amount of debts or other liabilities of said company, including loans, shall at any time exceed the amount of capital actually paid in: *And provided further*, That no part of the capital stock or other funds of the company shall be at any time directly or indirectly loaned to any director, officer, or agent of said company.

Letters patent.

Style.

Privileges and powers.

Provide.

Provide.

Provide.

Organisation.

SECTION 3. The said commissioners, or any five of them residing in the premises, as aforesaid, shall, as soon as conveniently may be after the said letters patent shall have been obtained, appoint a time and place for the subscribers to meet in order to organize the said company, and shall give at least thirty days' previous notice thereof in the various papers before mentioned, and the said subscribers when met, shall by ballot elect, by a majority of the votes present, to be given in person or by proxy, thirteen directors, all of whom shall be citizens

Election of officers

and residents of states bordering on the Ohio river, and shall be owners respectively of at least ten shares in the stock of said company; the said directors, and those thereafter to be chosen in pursuance of the provisions of this act, at their first meeting shall choose by ballot one of their own number as president of said company, and the said president and directors shall conduct and manage the affairs and business of said company until the first Tuesday of February the next ensuing, and until others are chosen, and may make, ordain and establish such by-laws, rules, orders and regulations, and do and perform such other matters and things, as are by this act authorized.

Annual meetings.

SECTION 4. That the stockholders shall meet on the first Tuesday of February in every year, at such place as may be designated by the by-laws of the company, of which at least twenty days' previous notice shall be given in two or more daily newspapers published in the city of Pittsburg, and elsewhere as the board shall direct, and choose by a majority of votes thirteen directors, qualified as provided in the preceding section, for the year ensuing, who shall continue in office until the next annual election, and until others are chosen, at which annual meeting the said stockholders shall have full power and authority to make, alter or repeal, by a majority of the votes given, any or all such by-laws, rules, orders and regulations as aforesaid, and do and perform every other corporate act authorized by their charter: The stockholders may meet at such other times and places as they may be summoned by the president and directors, in such manner and form, and giving such notice as may be prescribed by the by-laws, and the president, on the request in writing of any number of stockholders representing not less than one-tenth in number and interest, shall call a special meeting, giving the like notice, and stating specifically the objects of such meeting, and the objects stated in such notice, and no other, shall be acted upon at such meeting: nor shall any business be transacted at any such special meeting, unless a majority of the stock shall be there represented, but the meeting may adjourn from day to day, or until such times as a majority in interest shall be present.

Elections, how conducted.

SECTION 5. That the election for directors provided for in this act shall be conducted in the following manner, that is to say: at the first election the commissioners shall appoint three stockholders not being candidates to be judges of the said election, and to hold the same, and at every succeeding election the directors for the time being shall appoint three stockholders, who shall not be directors nor candidates, for the like purpose; and the persons so appointed by the said commissioners and directors shall respectively take and subscribe an oath or affirmation, before an alderman or justice of the peace, well and truly according to law to conduct such elections to the best of their knowledge and ability; and the said judges shall decide upon the qualification of voters, and when the election is closed shall count the votes and declare who have been elected; and if it shall at any time happen that an election of directors shall not be made at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold and make such election of directors on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding said election in the newspapers aforesaid, and the directors of the preceding year shall in that case continue in office,

and be invested with all powers belonging to them as such, until others are elected in their stead; in case of the death or resignation of a director, or a failure to elect in case of a tie vote, or in case any one of them ceases to be qualified to act as a director in the manner hereinbefore provided, the vacancy may be filled by the board of directors; at all general meetings or elections by the stockholders, each share of stock shall entitle the holder thereof to one vote, and each ballot shall have endorsed thereon the number of shares thereby represented, but no share or shares transferred within sixty days next preceding any election or general meeting of the stockholders, shall entitle the holder or holders thereof to vote at any such election or general meeting; nor shall any person or party, females excepted, residing within ten miles of the place appointed for any such election or general meeting, be entitled to vote by proxy; no person shall represent by proxy more than five absent stockholders, nor shall any proxy be received, or entitle the holders thereof to vote, unless the same shall bear date and have been duly executed and acknowledged before some person legally authorized at the place of execution the same to take such acknowledgments, within the three months next preceding such election or general meeting; and every such proxy received and voted upon as aforesaid, shall be retained and filed amongst the papers of the company until after the next annual election or general meeting, subject to the inspection or examination of any stockholder who may desire it.

Vacancies.

Votes.

SECTION 6. That the president and directors for the time being are hereby authorized and empowered to exercise all the powers granted to the corporation; they shall meet at such times and places as shall be by them deemed most convenient for the transaction of their business, and when met seven shall be a quorum; the president, if present, shall preside at all meetings of the board, and when absent the board shall appoint a president *pro tempore*; they shall keep minutes of their proceedings, fairly entered in a suitable book to be kept for that purpose; they shall choose a secretary and treasurer, and may appoint or employ all such officers, engineers, agents, superintendents, artisans, workmen or other persons as in their opinion may be necessary or proper in the conducting and management of the affairs and business of said corporation, at such times, in such manner and under such regulations as they may from time to time determine; they may require security in such amounts as they may deem necessary of each or any of said officers or other persons by them appointed or employed, and generally to do all other such acts, matters and things as by this act and the by-laws and regulations of the said company they may be authorized to do; the treasurer of said company shall enter into bonds, with one or more sureties satisfactory to the president and directors, in a sum not less than thirty thousand dollars, conditioned for the faithful discharge of all the duties of his office while he shall continue to hold the same, and for faithfully accounting for and paying over, according to law and the by-laws of the company, all moneys that may come into his hands as treasurer aforesaid, and for the payment to his successor in office or other person authorized by the president and directors to receive the same, the balance of all such moneys, and in like manner for the delivery to said successor or other person

Quorum.

Secretary and treasurer.

	authorized as aforesaid, all books, papers, documents, accounts and property that he may have or hold by virtue of his office.
Salaries of officers	SECTION 7. That the president and directors shall fix the amount of salaries and wages of the several officers, engineers and agents employed by them.
Certificates of stock.	SECTION 8. That the president and directors first chosen shall procure certificates or evidences of stock for the shares of the said company, and shall deliver one or more certificates or evidences, signed by the president and countersigned by the treasurer and secretary and sealed with the common seal of the corporation, to each person or party entitled to receive the same, according to the number of shares by him, her or them respectively subscribed or held, which certificates or evidences of stock shall be transferable at the pleasure of the holder, in a suitable book or books to be kept by the company for that purpose, in person or by attorney duly authorized, in the presence of the president or treasurer, subject, however, to all payments due or to become due thereon; and the assignee or party to whom the same shall have been so transferred shall be a member of said corporation and have and enjoy all the immunities, privileges and franchises, and be subject to all the liabilities, conditions and penalties incident thereto, in the same manner as the original subscriber would have been: <i>Provided</i> , That no certificate shall be transferred so long as the holder thereof is indebted to said company, unless the board of directors shall consent thereto.
Transfers.	
Proviso.	
Stock, how paid.	SECTION 9. That the capital stock of the company shall be called in and paid at such times and places, and in such proportions and instalments, not, however, exceeding ten dollars per share in any period of sixty days, as the directors shall require, of which public notice shall be given for at least three successive weeks next preceding the time or times appointed for that purpose, in the newspapers last above mentioned; and if any stockholder shall neglect to pay such a proportion or instalment so called for at the time and place appointed, he, she or they shall be liable to pay, in addition to the proportion or instalment so called for, at the rate of one per centum per month for the delay of such payment; and if the same and the additional penalty, or any part thereof, shall remain unpaid for the period of six months, he, she or they shall, at the discretion of the directors, forfeit to the use of the company all right, title and interest in, and to every and all share or shares, on account of which such default in payment may be made as aforesaid, or the directors may, at their option, cause suit to be brought before any competent tribunal for the recovery of the amount due on such shares, together with the penalty of one per centum per month, as aforesaid, and in the event of a forfeiture of the share or shares so forfeited, may be disposed of at the discretion of the president and directors under such rules and regulations as may be prescribed by the by-laws. No stockholder shall be entitled to vote at any election, nor at any general or special meetings of the company, on whose share or shares any instalment or arrearages may be due more than thirty days next preceding said election or meeting.
Dividends.	SECTION 10. That the dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of May and November in each and every year, and be paid to the stockholders or their legal repre-

entatives, on application at the office of said company, at any time after the expiration of ten days from the time of declaring the same; but the said dividend shall in no case exceed the amount of the net profits actually acquired by the company, so that the capital stock shall never be impaired thereby; and if the said directors shall make any dividend, which shall impair the capital stock of the company, the directors consenting hereto, shall be liable in their individual capacities to the said company, for the amount of capital stock so divided, recoverable by action of debt, as in other cases; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he forthwith enter his protest on the minutes of the board, and give public notice to the stockholders of the declaring of such dividend.

SECTION 11. That the president and directors of said company shall have power and authority, by themselves, their engineers, superintendents, agents, artisans and workmen, to improve the navigation of the Ohio river, and for that purpose survey, ascertain, locate, fix, mark and determine upon such dams, locks, schutes, reservoirs, or other appurtenances and devises, upon said river or any of the tributaries thereof, as in their opinion, after minute and accurate surveys and examinations, and after full investigation of all the circumstances connected therewith, may in the opinion of the president and directors of said company best accomplish said object and subserve the interest and the accommodation of the public, and in like manner, by themselves or other persons by them appointed or employed, as aforesaid, to enter into and upon and occupy all land on which the said dams, locks, schutes, reservoirs or depots, warehouses, offices, toll houses or other buildings or appurtenances hereinbefore mentioned, may be located, or which may be necessary or convenient for the erection of the same, or for any other purpose, necessary or useful in the construction, maintenance or repairs of said improvement, and therein and thereon to dig, excavate or embank, make, grade, lay down and construct the same; and it shall in like manner be lawful for the said company, their officers, agents, engineers, contractors or workmen, with their implements and beasts of draught or burden, to enter upon any lands adjoining or in the neighborhood of the said improvement so to be constructed, and to quarry, dig, cut, take and carry away therefrom any stone, gravel, clay, sand, earth, wood, or other suitable material necessary or proper for the construction, maintenance or repairing of said improvement, or for the construction of any bridges, viaducts, schutes, reservoirs, feeders or buildings, which may be required for the use, maintenance or repairs of said improvement: *Provided*, That such compensation shall be made, secured or tendered to the owner or owners of any such lands or materials, as shall be agreed upon between the parties, or in such manner as is hereafter mentioned. Objects and powers.
Enter on lands.
Take materials.

SECTION 12. That when the said company cannot agree with the owner or owners of any lands or materials, for the compensation proper for the damage done, or likely to be done to, or sustained by any such owner or owners of such lands or materials which said company may enter upon, use, inundate, or take away in pursuance of the authority hereinbefore given, or by reason of the absence or legal incapacity of any such owner or owners, no such compensation can be agreed upon, the court Damages, how ascertained.

of common pleas of the proper county, on application thereto by petition, either by said company, or owner or owners, or any one in behalf of either, shall appoint five discreet and disinterested persons of the next adjoining county or counties, through which the improvement does not pass, to act as jurors, and to meet at such convenient place near the premises, as in the said precept, or by the said sheriff may be designated, in not less than ten nor more than twenty days, giving such reasonable notice as the court may direct, to both parties, by publication or otherwise, whose duty it shall be to ascertain and report to said court, whether any, and if any, what damages have been or may be sustained by the owner or owners of said land or materials, by reason of the construction of said improvement, or by reason of the materials used or taken away, in manner aforesaid; and if three or more of the said jurors attend, they shall be empannelled, and if three do not attend, the sheriff shall forthwith, or as soon thereafter as practicable, summon others to attend on a day by him fixed for that purpose; and the said three jurors being so empannelled, and having been first sworn or affirmed by said sheriff or his deputy, faithfully, justly and impartially to decide and true report to make, concerning all the matters and things to be submitted to them, and in relation to which they are authorized to inquire, in pursuance of the provisions of this act; and having viewed the premises, they shall estimate and determine the quantity, quality and value of said lands so taken, inundated or occupied, or to be so taken, inundated or occupied, or the materials so used or taken away, or to be so used or taken away, as the case may be, and having a due regard to, and making just allowance for the advantages which may have resulted, or which may seem likely to result to the owner or owners of said land or materials, in consequence of the opening or making of said improvement; and after having made a fair and just comparison of said advantages and disadvantages, they shall estimate and determine whether any, and if any, what amount of damages have been or may be sustained, and to whom payable, and make report thereof to the court, and if any damages be awarded and the report be confirmed by said court, judgment shall be entered thereon; and if the amount thereof be not paid, execution may issue thereon as in other cases of debt, for the sum so awarded, and the cost and expenses incurred, shall be defrayed by said improvement company: *Provided*, That if said report be not confirmed as aforesaid, and justice may seem to require it, a new inquisition may be ordered by said court; *And provided further*, That any owner or owners, or other party applying for a review, shall be liable for the costs of the proceedings prayed for, in case a report more favorable be not obtained upon such review: *And provided further nevertheless*, That nothing herein contained shall authorize the said company to enter upon any lands, or take any property without making compensation to the owners of said property, or giving adequate security therefor: *And be it further provided*, That in all cases where the parties cannot agree on the amount of damages claimed, either for land or materials, the company shall tender a bond with sufficient security, to the party claiming the damages, the condition of which shall be, that the company will pay or cause to be paid, such amount of damages, as the party shall be entitled to receive, after the same shall have been agreed upon by the

Provide.

Provide.

Provide.

Provide.

ties, as assessed by the provisions of this act: *And provided* *Proviso.*
further, That in case the party or parties claiming damages,
 refuse to accept the bond as tendered by the company, the com-
 any shall, in every such case present their bonds to the court
 common pleas of the proper county, and if the court approve
 the security, shall direct the same to be filed for the benefit
 those to whom it is given, which bonds shall be answerable
 all other debts for the amount of the damages assessed, if the
 same be not paid in a reasonable time after such assessment.

SECTION 13. That if said improvement company shall find it *Change of roads.*
 necessary to change the site of any portion of any turnpike or
 public road, they shall cause the same to be re-constructed
 forthwith, at their own proper expense, on the most favorable
 location and in as perfect a manner as the original road: *Pro-* *Proviso.*
vided, That the damages incurred in changing the location of
 any road authorized by this section, shall be ascertained and
 paid by said company in the same manner as is provided for in
 regard to the location and construction of their own improve-
 ment.

SECTION 14. That the viewers appointed for the purpose of *Compensation of*
 assessing damages in pursuance of this act, be entitled to re- *viewers.*
 ceive as a compensation two dollars per day while engaged in
 said business; that one or more of said viewers shall have
 power to adjourn from day to day, and that a majority of the
 said viewers so appointed shall have power to view and assess
 damages, and to report as fully and with like effect as though
 all were present: *And provided further*, That a penalty of ten *Proviso.*
 dollars be imposed on any of the said viewers who shall neglect
 or refuse to attend after appointment and due notice at the time
 and place named, unless unavoidably prevented; said penalty
 to be recoverable before any justice of the peace as debts of
 similar amount are recoverable, for the use of the person suing
 for the same.

SECTION 15. That in all suits or actions against the said com- *Service of process*
 pany, the service of process on the president, secretary, trea- *against company.*
 surer, principal engineer, collector or any director of said com-
 pany, shall be good and available in law; but no suit or action
 shall be prosecuted by any person or persons for any penalties
 incurred under this act, unless such suit or action shall be com-
 menced within twelve months next after the offence committed
 or cause of action accrued; and the defendants in such suit or
 action may plead the general issue, and give this act and the
 special matter in evidence, and that the same was done in pur-
 suance and by authority of this act.

SECTION 16. That if any person or persons shall wilfully and *Penalty for inju-*
 knowingly break, injure or destroy the improvement hereby au- *ry to works.*
 thorized or any part thereof, or any edifice, device, property or
 work or any part thereof, or any machinery, engine, boat, im-
 plements or utensil erected, owned or used by the said company
 in pursuance of this act, he, she or they so offending shall for-
 feit and pay to the said company three times the actual damage
 so sustained, to be sued for and recovered with full costs before
 any tribunal having cognizance thereof, by action in the name
 and for the use of said company.

SECTION 17. That if any person or persons shall wilfully and *Injury to works.*
 maliciously remove, injure or destroy any of the company's
 constructions, such person or persons so offending shall be deem-
 ed guilty of a misdemeanor, and shall on conviction be impri-

boned in the penitentiary for a term not less than three months nor more than three years: *Provided*, That nothing herein contained shall prevent the company from pursuing any other appropriate remedy at law in such cases.

Carriage of troops
&c., in time of
war.

SECTION 18. That in time of war, invasion or domestic insurrection, the said company shall permit to be carried and transported on said improvement any troops called into service by any competent authority, their ordnance, munitions and military stores, at one-half the usual charge for the time being for carrying and transporting other passengers and freight.

Annual state-
ments.

SECTION 19. That at each annual meeting of the stockholders of said company, the president and directors for the year preceding, shall lay before them a full and complete statement of the affairs of the company for the year ending on the last day of December immediately preceding, exhibiting under the various appropriate heads, the amount of moneys received and from what sources, the amount disbursed, and for what purpose, the balance remaining with the company; which statement shall be accompanied with a report of the acts and proceedings of the company for the same period, with such further information as may be requisite to convey to the stockholders a full knowledge of the affairs and conditions of said company; the said statement and report shall be published as soon as conveniently may be in pamphlet form, and in such newspapers as the stockholders or president and directors may designate, and a copy thereof shall be transmitted to the governor, and to each branch of the legislature at its next annual meeting.

Increase of capi-
tal stock.

SECTION 20. That if any increase of the capital stock shall be deemed necessary, in order to complete or enlarge the said improvement or appurtenances, it shall be lawful for the stockholders of said company at any annual meeting, or at any special meeting convened for that purpose in manner as aforesaid, to increase and dispose of any additional number of shares not exceeding twenty-five thousand, so that the whole amount of said capital stock shall not exceed seven and a half millions of dollars, and receive and demand the moneys for the said additional shares in like manner, and subject to the same conditions hereinbefore provided for the original subscriptions, or as shall be provided for in the by-laws of said company.

Capital stock.

Tolls.

SECTION 21. That upon the completion of said improvement or any part thereof, not less than twenty-five miles of the same shall be esteemed a public highway for the conveyance of passengers, and the transportation of freight, subject to such rules and regulations in relation to the same, and all other matters and things connected with the use of said improvement, as the president and directors may prescribe and direct: *Provided*, That the said company may from time to time establish, demand and receive such rates of toll or other compensation for the use of said improvement, and for the conveyance of passengers, the transportation of merchandise and commodities, and the boats containing the same or otherwise passing over or on said improvement, as to the president and directors shall seem reasonable: *Provided however nevertheless*, That no tolls shall be charged upon the improvement, when the stage of water would be sufficient to furnish a depth of ten feet at Pittsburg and Wheeling, in the ordinary unimproved channel, and that the rates of toll charged upon the improvement shall not at any time exceed the rates charged at the time of the passage of

Proviso.

act, upon the Monongahela slackwater, on tonnage of like character, or boats of like dimensions; and if the said rate of toll, after paying the necessary expenses of maintenance and repairs, and after making reasonable provision for the payment of debts and deterioration of property should be sufficient in any year, to leave more than twelve per centum of net revenue in the treasury of the company, the tolls for the next ensuing year shall be reduced, and such reduction shall be continued from year to year, until the net revenue shall be sufficient to pay five per centum per annum to the stockholders and no more;

if any appropriations shall be made in aid of the improvement of the Ohio river, by a contribution to the funds of the company, either by the general government or by the legislatures of one or more of the several states interested in this improvement, such appropriations shall in no manner be applied to increase the profits of the stockholders, but they shall be so directed as to reduce the charges for transportation, which reduction shall be made chiefly upon the articles of coal and lumber, and the aggregate amount paid into the treasury by appropriations from the states, or by the congress of the United States without equivalent in stock or bonds, shall equal or exceed the half of the amount required for the construction of the said improvement, with all the necessary appurtenances thereto, then and in that case the said articles of coal and lumber shall be passed free of any charge of toll whatever for the cargo or for the boat carrying the same: *Provided*, That this exemption from toll shall not apply to steamboats, or to boats or barges which carry other articles than coal and lumber at the same time.

SECTION 22. That it shall at all times be lawful for a committee of the legislature, appointed for that purpose, to inspect the books and examine into the proceedings of the corporation hereby created, and to report whether the provisions of this charter have been by the same abused or violated. And if the officers of said corporation shall refuse to be sworn or affirmed, to give evidence, or refuse to produce any of their books or papers that may be demanded before any such committee, then the legislature may by law declare the said charter void and repeal the same; and whenever any committee, as aforesaid, shall find and report, or the governor shall have reason to believe that the charter has been violated, it may be lawful for the legislature to direct or the governor to order *scire facias* to be sued out of the supreme court of Pennsylvania, in the name of the commonwealth of Pennsylvania, which shall be served by the sheriff of any county in this commonwealth, on the president, treasurer or secretary, at the office of the corporation for the time, at least ten days before the commencement of the term of court, calling on the said corporation to show cause why the charter hereby granted should not be declared forfeited. And it shall be lawful for the said court, upon the return of the *scire facias*, to examine into the truth of the alleged violations; and if such violations be made to appear, then to adjudge that the said charter is forfeited; and thereupon and in case the legislature shall have power to declare the said charter void and to repeal the same, for the cause aforesaid, the improvement aforesaid, with its appurtenances, and all estate, real and personal, of the said corporation shall revert to and be vested in the commonwealth, upon the payment by the commonwealth to the stockholders the par value of their stock, and until the

Inspector of books
&c.

Forfeiture of
charter.

commonwealth shall have made such payments to the president and directors of said company, to be by them distributed among the stockholders, the rights, privileges and franchises of said corporation shall remain as though said judgment and forfeiture had not been pronounced or declared: *Provided however*, That every issue of fact which may be joined between the commonwealth and the corporation in said proceedings, shall be tried by a jury, summoned by an officer to be named by the court, from the body of the state. And it shall be lawful for the court aforesaid to require and compel the productions of such of the books and papers of the corporation, on such trial, as it may deem necessary for the ascertainment of the controverted facts; and the final judgment of the court shall be subject to all the usages of law as in other cases. The first twenty of the commissioners appointed in the first section of this act, or any five of them, shall have authority to convene the commissioners at suitable time and place, as they may designate for that purpose, giving sufficient notice thereof, as the occasion may seem to require. And all reasonable expenses incurred by the commissioners in the performance of the duties by this act imposed, shall be allowed and paid by the corporation out of the first instalment or payment to be received by the commissioners at the time of subscribing, as hereinbefore provided.

Commencement
and completion.

SECTION 23. That the said company shall commence the construction of said improvement within three years, and complete and open the same for use within the term of ten years; and if, after completion, the said improvement or any portion thereof shall be impassable for craft drawing four feet of water, for the term of sixty days, the right to levy tolls shall cease for a distance of one hundred miles and for an equal period after the completion of the repairs.

Subscriptions for
stock.

SECTION 24. That any other corporation shall be and is hereby authorized to subscribe for shares in the capital stock of said Ohio River improvement company, and to borrow money to pay therefor, and to make provisions for the payment of the principal and interest of the money so borrowed, as in other cases of loan to said corporations, and no certificate or bond issued shall be for a less sum than one hundred dollars, and shall be transferable only on the books of the respective corporations kept for that purpose; and the certificates of loan or bonds issued or to be issued by any such corporations for the purpose aforesaid, bearing an interest of not more than seven per centum per annum, payable half-yearly, may be received as cash by the company named in said act in payment of the instalments on shares subscribed by such corporation: *Provided*, That any city or other municipal corporation, may be represented at elections and at other meetings of the said company, by agents duly authorized by the mayor or chief officers of said cities or other municipal corporations, acting under resolutions passed by the constituted authorities thereof: *Provided also*, That any city or municipal or other corporation that shall be possessed of five thousand or more shares in the capital stock of said company, hereafter to be entitled, by the constituted authorities thereof, to elect one director out of the number designated in this act, within one month prior to the first Monday in December, for each and every five thousand shares held by said corporation, but no corporation shall be entitled to elect more than two di-

Proviso.

Proviso.

s, and a majority of the board of directors shall at all be elected by the private stockholders; if at any time the corporations who have subscribed to the stock shall be entitled to more than six directors, then the number of directors to which such corporations (as elect more than one director) are entitled to shall be reduced, in such manner as shall be determined upon by the directors in office, so as to do equal justice to all: *Provided further*, That all directors elected by corporations shall be possessed of not less than ten shares of stock of said company in their own right, and shall not be members of the body by which they are elected.

SECTION 25. That the directors of the Ohio improvement company be and are hereby authorized to pay the shareholders interest to receive the same, in the months of May and November each year, interest at the rate of six per centum per annum on all instalments paid by them, which interest shall be added to the cost of construction, and continue to pay the same until the said improvement shall be completed, and that the period for which a dividend shall be declared, all the profits and earnings of the said improvement company shall be added to the cost of construction: *Provided*, That no stockholder who has neglected, or who hereafter shall neglect to pay his instalments as called for, shall be entitled to receive interest on the same, and the directors of said improvement company are hereby required strictly to enforce the penalty which is provided in the case of delinquencies under this act: *Provided further*, That the stock of said company shall not be subject to any tax in consequence of the payment of the interest by authorized, and the real estate and other property of the company shall be exempt from all taxation so long as the works are maintained in good condition.

SECTION 26. That any person or persons who shall refuse to pay the established tolls, or attempt to evade the same by false statements or otherwise, shall be liable to a fine of three times the amount of said toll, and not less than twenty dollars for each offence, to be recovered as in cases of debt.

SECTION 27. That the stockholders, at a special meeting called for that purpose, shall have the right to increase the number of directors to any extent not exceeding twenty-one: *Provided*, that if the general government, or any state legislature shall appropriate money or subscribe stock for the benefit of said improvement, the parties contributing the same shall be entitled to elect one director for each five hundred thousand dollars so appropriated, but a majority of the whole number shall always be elected by the private stockholders.

SECTION 28. That the company hereby authorized to be incorporated, shall not proceed with the construction of the said improvement within the jurisdiction of any state bounding on the river, until the consent of that state shall have been given in writing.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK

No. 651.

AN ACT

To extend and confirm the privileges and acts of the Pennsylvania Land and Marble Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Pennsylvania land and marble company, a corporation created under letters patent by the court of common pleas for the city and county of Philadelphia dated the fifth day of December, Anno Domini one thousand eight hundred and fifty-three, to mine, quarry and put into marketable order and condition any limestone, iron ore, marble or other article contained or found in a state of nature within and upon the soil of all that certain tract of land called Cedar Grove in Montgomery county, and state of Pennsylvania, conveyed to them by Peter Fritz, of the city of Philadelphia, by deed dated the eleventh day of April, Anno Domini one thousand eight hundred and fifty-four; and it shall and may be lawful for said company to lease the right to dig and quarry to any person or persons or body corporate, and to use other ways and means to put into marketable order and condition any part of such land or the marble, limestone, iron ore or other articles found or contained in a state of nature upon said tract of land, to and upon such terms and for any such share of rent or dividend of profits as may be agreed upon between the directors of said company and any such other party or parties contracting with them; and it shall and may be lawful for the said Pennsylvania land and marble company to use the whole or any part of any improvement fund now or hereafter to be set apart by said company, to aid in the construction of buildings, and also provide the means necessary for the parties engaged in any contract as aforesaid with said company, for the objects and interests above mentioned; and it shall and may be lawful for said company for such purpose also to make loans or advances, and to pledge the credit of said company for any sum not exceeding one hundred thousand dollars, and for said company to issue their obligations therefor in sums not less than one hundred dollars each: *Provided,* That no mortgage shall be given or executed on the lands of said company, for any such purposes as aforesaid, without the consent of stockholders holding four-fifths of the capital stock of said company fully paid in.

SECTION 2. That the said Pennsylvania land and marble company may connect their said lands lying or being at Cedar Grove, in Montgomery county aforesaid, by railway with the works of the Philadelphia, Germantown and Norristown railroad company at or near Spring Mills, or with the river Schuylkill near the same place, in the said county of Montgomery.

SECTION 3. That the said Pennsylvania land and marble company be and they are hereby authorized to increase the capital stock of said company to an amount not exceeding the amount of the present capital stock of said company, to an amount not

ng two hundred and fifty thousand dollars, to enable said
y to construct and lay down any railway for the objects
poses aforesaid, and also to aid in the construction of
achinery and fixtures as may be required to carry out the
and purposes of said company in and upon their lands,
er and upon such other lands as they may obtain the right
down such railway, subject to the provisions of the act
mbly regulating railroad companies, approved the nine-
day of February, one thousand eight hundred and forty-

Subject to.

ION 4. That the privileges granted by the said court of
on pleas for the city and county of Philadelphia to the
ennsylvania land and marble company, and also the other
ges hereby granted to said company by this act, be and
ne are extended for the term of twenty-five years from
ter the passage of this act.

Former privileges
confirmed, and
charter limited.

ION 5. That the said Pennsylvania land and marble com-
re hereby authorized to issue their bonds or obligations
is not less than one hundred dollars, payable with interest
ceeding eight per centum per annum, and redeemable at
ne five years after the date thereof, to an amount alto-
not exceeding the sum of one hundred thousand dollars,
e faithful payment and redemption thereof; the lands,
ngs, fixtures, machinery, lime, limestone, quarried marble,
ed iron ore and other materials dug out, be the same lying
ng on said tract or elsewhere, together with all the pro-
real or personal, of said Pennsylvania land and marble
any, shall be liable for the punctual and faithful payment
y such bonds or obligations issued by said company.

May borrow mo-
ney, &c.

ATION 6. That the stockholders may increase the number of
tors to not exceeding eleven, one of whom shall be elected
e board of directors president: *Provided*, That before said
any shall exercise any of the foregoing privileges in the
ty of Montgomery, the consent of the court of common
of said county, under existing general laws, shall be first
and obtained.

Directors.

Provido.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thou-
eight hundred and fifty-five.

JAMES POLLOCK.

No. 652.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Pottsville Mutual and Joint Stock Life Insurance Company of Schuylkill county," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-two.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* In the name of the said Pottsville mutual and joint stock life insurance company of Schuylkill county, be and the same is hereby changed to that of the Pottsville life insurance and trust company.

Investments.

SECTION 2. That it shall be lawful for said company to receive moneys, in trust or otherwise, also other property, from any and every person or persons, co-partnership or body politic, upon such terms and in such manner as the said company may determine, and invest its capital stock and the moneys received for premiums on life and health assurances or otherwise, in the funded debt of the United States and state of Pennsylvania, or in bonds and mortgages secured in real estate, as it may deem safe and advantageous, and sell and dispose of the same at pleasure, as the president and directors of said company may from time to time determine.

Banking prohibited.

SECTION 3. That this corporation shall not exercise any banking privileges or issue any certificates or other paper to be circulated as bank paper.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 653.

AN ACT

To annul the marriage contract of Henry F. Price and Mary Price.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the marriage contract entered into by and between Henry F.

he and Mary Price his wife, be and the same is hereby annulled and made void, and the parties released and discharged from the said contract and from all the legal duties and obligations arising therefrom, as fully, effectually and absolutely as if they had never been joined in marriage.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of June, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 654.

AN ACT

To lay out a State Road in Montour and Northumberland counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Smith and Henry E. Follmer, of Montour county, and William F. Nagle, of Northumberland county, be and they are hereby appointed commissioners to view and lay out a state road from Limestoneville, in Montour county, by the nearest and best route to the borough of Milton, in Northumberland county.

Commissioners.

Route.

SECTION 2. That it shall be the duty of said commissioners or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground over which the said road may pass, and lay out and mark the same upon the ground on the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same, and for the purpose of fulfilling the duties in this act enjoined, the said commissioners are hereby authorized to employ two chain carriers, at a per diem allowance not exceeding one dollar each, and the said commissioners respectively shall receive a per diem allowance not exceeding two dollars for each and every day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties of Montour and Northumberland upon the rendition of the accounts of said commissioners.

Duties.

SECTION 3. That it shall be the duty of said commissioners to make out a fair and accurate draft of the location of said road, noting thereon courses and distances as they occur, with such other matters as may serve for explanation, a copy whereof to be deposited in the office of the secretary of the common-

Draft.

wealth before the first day of September next, and one copy in the offices of the clerks of quarter sessions of the respective counties in which the said road may be located; the said road shall be to all intents and purposes a public highway, and shall be opened to the breadth and repaired in all respects as roads are opened and repaired which are laid out by the order of the courts aforesaid.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The eighth day of September, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 655.

AN ACT

Supplementary to acts incorporating the American Steam Ship Company, approved seventeenth of February, one thousand eight hundred and fifty-two; the Philadelphia and Savannah Steam Navigation Company, approved eighteenth of March, one thousand eight hundred and fifty-one; and the Union Steam Ship Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the American steam ship company, the Philadelphia and Savannah steam navigation company, and the Union steam ship company, when not declaring dividends, be and the same is hereby exempted from taxation under the provisions of the act of the twenty-ninth of April, Anno Domini one thousand eight hundred and forty-four, entitled "An Act to reduce the state debt and to incorporate the Pennsylvania canal and railroad company."

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The tenth day of September, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 656.

A N A C T

To repeal the charter of the Erie and North East Railroad Company, and to provide for disposing of the same.

WHEREAS, On the twelfth day of April, Anno Domini, one thousand eight hundred and forty-two, an act was passed by the general assembly of this commonwealth, entitled "An Act to incorporate the Erie and North East railroad company, and for other purposes," to construct a railroad from the borough of Erie to the east boundary line of the township of North East, being the New York state line: Preamble.

AND WHEREAS, By the tenth section of the said act, it was enacted, that "if the company aforesaid do not complete the said work, so as to bring into use within ten years after the passage of the said act, or shall suffer the same to go into decay," &c., then the charter shall become null and void; and by the eleventh section of the same act it is provided, that if the said company shall misuse or abuse any of the privileges hereby granted, the legislature might resume the rights and privileges so granted to the said railroad company:

AND WHEREAS, It hath been judicially determined at the last September term of the supreme court of this commonwealth, sitting in and for the Western district thereof, that the said railroad company have not completed their said road between the points named and fixed in said charter, up to and at the time of said decision, although the period in which the same was to be finished and brought into use, had expired on the twelfth day of April, Anno Domini, one thousand eight hundred and fifty-two, and that the said company have violated its charter in assuming to make an unauthorized and illegal location of the said road; it is now therefore the solemn judgment of this legislature, that by reason of the omission to complete and bring into use the said road, within the period aforesaid, by reason of the said acts, in violation of the charter aforesaid, the said charter so granted to the Erie and North East railroad company, has become entirely null and void, and in pursuance of the right reserved to the commonwealth in the said act of incorporation, to resume all and singular the privileges and franchises granted to the same, now forfeit, for remedy whereof:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and singular the rights and privileges heretofore granted to the Erie and North East railroad company, by the act of assembly authorizing the governor to incorporate the same, passed the twelfth day of April, Anno Domini one thousand eight hundred and forty-two, or by any act of the general assembly supplementary thereto, be and the same are hereby rescinded, revoked and utterly and forever annulled. Charter annulled

SECTION 2. That the governor of this commonwealth be and he is hereby authorized and directed to take such measures as may be deemed necessary for the enforcing and carrying Governor to carry this act into effect

into effect the provisions of the foregoing section, together with all and singular such incidents or consequences as may legally attach to the revocation aforesaid, and to take possession of, or cause to be taken possession of the said railroad, so far as the same has been constructed, and to appoint a suitable person or persons, to take the charge and custody thereof, until the same shall be further disposed of according to law; and the compensation of such person or persons so appointed as aforesaid, shall not exceed the rate of fifteen hundred dollars per annum.

Section 3. That it shall be the duty of such person or persons so to be appointed by the governor, to take possession of, and keep in repair and good running order, the said railroad, for the accommodation of the public travel and business, at rates not greater than heretofore charged, and to deposit the net revenues thence to be derived, in such banks as may be designated by the governor, at least once in every week, not to be drawn thereout without checks countersigned by the governor; and any accumulations of such moneys shall be invested in the loans of the state of Pennsylvania in the name of the governor, under the trust of this act; and such person or persons so to be appointed, shall give adequate security to cover any moneys that shall come into his or their hands: *Provided*, That the trust upon which such revenue or collections, or the investment thereof, made as aforesaid, shall be to hold and dispose of the same, as the legislature of the commonwealth may hereafter declare and enact, subject to any rights or obligations which may exist.

Section 4. That it shall be the duty of any sheriff of any county of this commonwealth, and of all good citizens thereof, whenever warned or required by the governor, or the person or persons so by him appointed as aforesaid, to aid and assist in the discharge of the aforesaid service; and they shall be and are hereby indemnified by the commonwealth, in all they shall lawfully do under and in obedience to such requisition and command.

Section 5. That as soon after the governor shall have caused possession to be taken of said road under this act as practicable, he shall cause notice of the same to be served on the president of said company, personally, or by copy to be left at the office of the same, and it shall be lawful for him, and he is hereby authorized to restore the possession of the said road to said company, on the following conditions, which said conditions the said company on accepting the same, shall by a vote thereof enter on their books, as conditions of the renewal of their charter, and in consideration of the privileges hereby granted to them:

I. The said company shall, by a proper divergence of not less than one mile east of the limits of the city of Erie, construct and extend their road to the harbor of Erie, on such level, and in such manner, as to permit sidelings or tracks to the wharfs or docks, convenient for the transportation of merchandise and freight to and from vessels and steamboats.

II. That said road so extended, shall be constructed and finished by the time fixed by law, wherein the Cleveland, Painesville and Ashtabula railroad company, are bound by law to extend the track or tracks of their road to the harbor aforesaid, and to be commenced within three months from the date of the act.

Appoint an agent.

His pay.

Duty of agent.

Revenues to be invested.

Agent to give bond.

Proviso.

Duty of sheriff.

Notice to president of road.

III. That the said company shall, on the completion of the road to the harbor as aforesaid, change the gauge thereof, from the gauge to the New York state line, to a uniform gauge of four feet eight and a half inches, or six feet at their option, and maintain the same thereat.

IV. That the said company may maintain the said road as it now located at and in the city of Erie, until the time fixed aforesaid for the completion of their road to the harbor aforesaid, when they shall remove the same, together with all bridges, embankments and superstructures from the said point of divergence to the present terminus of the said road, leaving the ground, streets and alleys free and clear from the same.

SECTION 6. That on the acceptance of the terms of this act hereinbefore provided, and in a manner satisfactory to the governor, then and in that case, all the rights, privileges and franchises granted and conferred on said company, by the act of incorporation, passed the twelfth day of April, Anno Domini one thousand eight hundred and forty-two, are hereby re-enacted and conferred on the same, as fully as by said act they were originally granted and conferred, and the said company may at any time after commencing work to extend their road as aforesaid, to the harbor of Erie, increase their capital stock to the extent of four thousand shares; but before doing so, the said company by its president, shall cause to be certified under the seal of said company, and filed in the auditor general's office, the acceptance of this act by the company, and its resolution agreeing to be bound by the same.

Charter to be restored on conditions.

SECTION 7. That from and after the expiration of the time limited for the completion of the Erie and North East railroad to the harbor aforesaid, all connection south of said harbor with any road running westwardly, shall at once cease, and no such connection shall be permitted at any other point than at the harbor aforesaid.

Connections regulated.

SECTION 8. That no action heretofore brought or hereafter to be brought by or against said company for cause of action existing before the passage of this act, shall abate because of this act, but the same shall be prosecuted with like force and effect as though this act had never been passed.

Actions not to abate.

SECTION 9. That from and after the passage of this act, there shall be charged and paid to the commonwealth, a tax of five cents on each passenger, and ten cents per ton on all freight passing east on said road, to be returned and paid in the same manner as the tax on tonnage on the Pennsylvania railroad is now returned and paid to the commonwealth.

Tax to commonwealth.

SECTION 10. That if the governor takes possession of said road, then and in that case he is hereby authorized and required to apply the net proceeds of the same, after paying ordinary expenses, towards the liquidation of the existing indebtedness of the said Erie and North East railroad company.

Appropriation of revenues.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixth day of October, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 657.

A N A C T

Regulating the manner of voting at the General Elections in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the qualified electors of Northampton county to vote at their general elections for all candidates for state officers, including the president judge of the court of common pleas of said county and the candidates for congress and state senator, upon one slip or ticket, and all county officers also upon one separate slip or ticket: *Provided,* That the office for which every candidate is voted for shall be designated as required by the existing laws of this commonwealth: *And provided further,* That the state and county tickets shall each be so folded as to conceal the names of the persons voted for, and on the outside fold of the state ticket shall be written or printed the words "state officers," and on the outside fold of the county ticket shall also be written or printed the words "county ticket."

May vote one ticket.

Proviso.

Proviso.

Fraudulent voting punished.

SECTION 2. That any fraud committed by any person voting in the manner aforesaid, shall be punished as similar frauds are punished by the existing laws of this commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of November, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 658.

A FURTHER SUPPLEMENT

To an act to incorporate the North Western Railroad Company, passed ninth February, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where from any cause whatever, the North Western railroad company, and the owner or owners of lands and materials proposed to be taken, cannot agree upon the price to be

Value of lands,
&c., how ascer-
tained.

aid by said company for such lands and materials, and application shall be made by said company, or by the owner or owners of such lands or materials, to the court of common pleas of the proper county for the appointment of viewers, the said court shall appoint three disinterested freeholders of said county not owning lands upon or adjoining the line of said railroad, or, at the instance of either party, the said court shall appoint three disinterested freeholders of any other county or counties, viewers to view and assess the damages, in the manner provided in the general railroad law: *Provided*, That if the proper officer of the said company, at any time before the appointment of such viewers, shall tender to the owner or owners of the lands and materials proposed to be taken by said company, a sum of money in full compensation for his or their said damages, said company shall not be liable for the costs of any subsequent proceedings, unless such owner or owners of such lands or materials shall be awarded a larger sum than that previously tendered by said company.

SECTION 2. That in all cases where it is necessary for said company to give security for the price of lands or materials proposed to be taken, the court of common pleas of the proper county is hereby authorized to examine the surety or sureties on such security, and if sufficient, to approve the same, and the party to whom the said security is tendered shall not object to the sufficiency of the security. Sureties, how approved.

SECTION 3. That it shall be the duty of the court of quarter sessions of any of the counties through which the said North Western railroad is located, on complaint under oath of any citizen thereof, that the bridge now being erected by the said North Western railroad company across the Allegheny river near the borough of Freeport, obstructs the free use and navigation thereof, to appoint three competent persons as viewers, whose duty it shall be to view the same and make report to the said court at its next session, and if the said viewers shall report to the said court that the bridge so being constructed obstructs or interferes with the safe and convenient use of the said river, and said report shall be approved by the court, to order and decree that said bridge shall be constructed, erected, and made in such manner as not to interfere with the navigation of said river, as aforesaid, and shall have power to enforce such decree by attachment or otherwise: *Provided*, That if the complaint shall be dismissed, or judgment be found for the said company, and the court shall be satisfied that the complaint was bona fide made, they shall decree that the county shall pay the costs: *And provided further*, That if either party shall be dissatisfied with the decree, they may have a right to a review, and a trial by jury. Relative to obstruction by bridge over Allegheny river.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of December, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 659.

AN ACT

Substituting the word "suit" for the word "right," in the second proviso of an act, entitled "A further supplement to an act incorporating the Upper Lehigh Navigation Company," approved April twenty-seventh, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the word "right" in the second proviso of the bill, entitled "A further supplement to the act incorporating the Upper Lehigh navigation company," approved April twenty-seventh, Anno Domini one thousand eight hundred and fifty-five, be so construed to read "suit:" *Provided,* That anything inconsistent with this construction in said proviso, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of December, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 660.

A SUPPLEMENT

To an act, entitled "An Act authorizing the erection of a school house in South-West township, Warren county, and reviving the charter of the Norristown and Valley Railroad Company, under the name of the Chester Valley Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso contained in the fourth section of said act, approved on the twenty-second day of April, Anno Domini one thousand eight hundred and fifty, be and the same is hereby repealed: *Provided,* That the legislature hereby reserves the right to re-enact the same at any future time: *And provided also,* That the rates of toll charged by the said Chester Valley railroad company on all freights, passengers and cars passing off the state road to Philadelphia or on the state road from Philadelphia at Downingtown, shall at no time be lower than that charged on the state road for the same distance; and said railroad company

shall also pay to the commonwealth three mills per ton per mile on such freight, and three mills per mile on each of such passengers, to be collected in the same manner as the tonnage tax is authorized to be collected from the Pennsylvania railroad company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of December, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 661.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to provide for the erection of a new prison and debtors' apartment within the city and county of Philadelphia, and for the sale of the county prison in Walnut street in the said city, approved April fourteenth, one thousand eight hundred thirty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia county prison and debtors' apartment, shall on and after the first day of October next, be managed by a board of inspectors, consisting of nine citizens of the said city of Philadelphia, five of whom shall be appointed by the judges of the court of quarter sessions, and four of them by the judges of the district court of the county of Philadelphia, which inspectors shall serve without any pecuniary compensation, and organize themselves into a board to manage the said prison and debtors' apartment, and perform all the duties belonging by law to said office; and upon such organization shall supersede the then board of prison inspectors.

Number of inspectors, and how appointed.

SECTION 2. That at the first meeting of the inspectors appointed as aforesaid, they shall divide themselves by lot into three classes of three each; the first class to serve for one year, the second for two years, and the third for three years, and at the same meeting they shall elect one of their number as president of the board.

To be classified.

SECTION 3. That in case of any vacancy occurring by death, resignation or otherwise, the same shall be supplied by the said judges of the said courts, upon notice of said vacancy from the president of the board; each court filling the vacancies occurring among its appointees.

Vacancies.

SECTION 4. That the board of inspectors is hereby authorized to adopt and enforce from time to time, such rules and regulations as they shall deem proper for visiting prisoners in the untried department of said prison, subject to the revial and

Rules relative to visiting prison.

approval of said courts, and each court may at any time remove any of its appointees for any cause satisfactory to the court.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

We do certify that the bill, entitled "A further supplement to an act, entitled 'An act to provide for the erection of a new prison and debtors' apartment within the city and county of Philadelphia, and for the sale of the county prison in Walnut street, in the said city,' approved April fourteenth, one thousand eight hundred and thirty-five," was presented to the governor on the fifth day of May, one thousand eight hundred and fifty-five, and was not returned within three days after the meeting of the legislature of one thousand eight hundred and fifty-six, wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

WM. JACK,

Clerk of the House of Representatives.

T. A. MAGUIRE,

Clerk of the Senate.

HARRISBURG, January 4, 1856.

APPENDIX—1856.

No. 662.

A FURTHER SUPPLEMENT

the act of fourteenth April, Anno Domini one thousand eight hundred and thirty-four, entitled "An Act to authorize the Governor to incorporate a Company to erect a Toll Bridge over the river Susquehanna at the village of Tunkhannock."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of five thousand dollars be and the same is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, for the payment of the state subscription of stock in the company to erect a bridge across the Susquehanna river at Tunkhannock, subscribed by the governor under and in pursuance of the provisions of the act to which this is a further supplement, to be paid to the treasurer of said company on presentation of the warrant, to be drawn by the governor on the state treasurer, in obedience to the twelfth section of the act to which this is a further supplement: *Provided,* That before any money shall be paid in pursuance of this act, satisfactory evidence shall be furnished to the state treasurer that the requirements in the proviso to the twelfth section of the said act of fourteenth April, one thousand eight hundred and thirty-four, have been fully complied with.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 663

A FURTHER SUPPLEMENT

To an act to incorporate the Duncannon, Landisburg and Broadtop Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That to enable the said company to complete their improvements, they may borrow money or issue bonds or certificates of loan, and dispose of the same in such manner and at such prices as they may think proper or expedient: *Provided,* That the bonds or certificates of loan shall not be of a less denomination than one hundred dollars; and if said company shall make a loan for the purpose of completing their improvements, they are hereby authorized to secure the payment of the same by executing a bond or mortgage, or both, to the person or persons lending the same, upon the railroad, binding the said road, together with all the rights, privileges and franchises connected with the same, which mortgage shall be executed by the president of the company, by virtue of a resolution of the board, in conjunction with this act.

SECTION 2. That the said company, if they think it expedient, shall pay interest to the several stockholders at the rate of six per centum per annum on all instalments from the time the same was paid in until the completion of the road, but in no case shall interest be paid to any stockholder who is in arrears with his instalments.

SECTION 3. That the term within which said company shall complete and open said railroad for use, shall be five years from the date of the passage of this act; and the said company shall have power to connect their railroad, at its eastern or western terminus, with any other railroad they may desire.

SECTION 4. That all subscriptions to the capital stock of said company shall be deemed and taken to be valid, notwithstanding the five dollars on each and every share required to be paid by the act of incorporation at the time of subscribing was not then paid: *Provided,* Said payment has since been made.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 664.

AN ACT

To incorporate the Venango County Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That James Bleakley, James S. Myers, Miles W. Sage, A. Plumer, James K. Kerr and Richard Irwin, of the borough of Franklin, and J. L. Hannah, Henry Booth, Hamilton Stowe, A. Dawson, J. Cross, George Morgan, James Duffield and Ninean Irwin, of the county of Venango, are hereby appointed commissioners who, or a majority of whom are authorized and empowered, from and after the passage of this act, to establish an insurance company by the name and title of the Venango County mutual insurance company, to be located in the borough of Franklin, in the county of Venango, which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class, in the seventh section of said act, and shall transact its business upon the mutual principle.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 665.

AN ACT

To incorporate the Codorus and Manheim Mutual Protection Insurance Company of York County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Jacob W. Werner, Jacob Lammott, Nicholas Sleffer, Henry Shue (of John,) Henry Stick, George Michael, Charles Scharer, Valentine B. Wentz, Cornelius R. Wentz, Jacob Bortner, Henry S. Keller, Jacob Klinefelter, Henry N. Shue, of York county, are hereby appointed commissioners, who, or a majority*

of whom are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Codorus and Manheim mutual protection insurance company of York county, to be located in the county of York; and shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six; and shall be limited to the risks designated in the first class in the seventh section of said act; and shall have the right to transact its business upon the mutual principle exclusively.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PLATT,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 666.

AN ACT

For the payment of certain Claims against the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That:* the following sums be and the same are hereby specifically appropriated to the several objects hereinafter mentioned, to be paid out of any moneys in the treasury not otherwise appropriated.

SECTION 2. For the payment of the claim of John Miller, for damages awarded him by the board of canal commissioners, for the destruction of five coal cars on the Allegheny Portage railroad, at plane number eight, in July, one thousand eight hundred and fifty-four, as per award dated April tenth, one thousand eight hundred and fifty-five, three hundred and twenty dollars and seventy-three cents, which shall be in full for said claim.

SECTION 3. For the payment in full of the claims of the following named persons, for damages by breaking of rail to cars and loss of produce, on the sixth day of February, one thousand eight hundred and fifty-five, on the Columbia and Philadelphia railway, as per award of canal commissioners dated fourteenth day of March, one thousand eight hundred and fifty-five, as follows, to wit:

To Shirk and Baker, nine hundred and fifty dollars and seventy cents.

To Paul and Mishler, eleven hundred and fifty-two dollars and four cents.

SECTION 4. For the payment in full of the claim of Charles Fields, for injury done his boat and cargo, on the twenty-sixth day of April, one thousand eight hundred and fifty-four, in consequence of a break in the Lewisburg cross-cut of the West branch division of the Pennsylvania canal, forty-nine dollars and forty-five cents, as per award of the canal commissioners dated the fourteenth day of March, one thousand eight hundred and fifty-five. Charles Fields.

SECTION 5. For the payment of the claim of John M. Marshall, for the destruction of a section of his boat on the Philadelphia and Columbia railway, in June, one thousand eight hundred and fifty-two, as per award of canal commissioners dated ninth April, one thousand eight hundred and fifty-five, fifty dollars. John M. Marshall.

SECTION 6. For the payment of the claim of D. R. Barden and company, for damages sustained in consequence of the breaking of their cars and other injury thereto, by means of a collision on the Columbia and Philadelphia railway, on the eighth day of September, one thousand eight hundred and fifty-four, three hundred dollars, in full, as per award of canal commissioners dated March fourteenth, one thousand eight hundred and fifty-five. D. R. Barden and company.

SECTION 7. For the payment of damages awarded to Mrs. Elizabeth Shaffer by the canal commissioners as per their report, dated the twenty-fourth day of March, one thousand eight hundred and fifty-five, for the destruction by fire of her barn and its contents, on the Allegheny Portage railway, caused by sparks from a locomotive, in the month of September or October, one thousand eight hundred and fifty-three, three hundred and seventy-eight dollars in full. Elizabeth Shaffer.

SECTION 8. For the payment of the claim of Thomas Gore, for the destruction of a section of his boat, on the seventh day of July, one thousand eight hundred and fifty-four, at plane number eight, on the Allegheny Portage railroad, two hundred and fifty dollars in full, as per award of canal commissioners, dated the seventh day of April, one thousand eight hundred and fifty-five. Thomas Gore.

SECTION 9. For the payment in full of the claims of the following named persons, for damages sustained by them, in consequence of sparks from locomotive engines on the Columbia and Philadelphia railway, as per report and award of the canal commissioners, dated April seventh, one thousand eight hundred and fifty-five, to wit:

To Esau Strickland, for forty-two panels of fence, destroyed March thirtieth, one thousand eight hundred and fifty-three, thirty-one dollars and fifty cents. Esau Strickland.

To Joshua King, for forty-five panels of fence, destroyed March thirtieth, one thousand eight hundred and fifty-three, thirty-three dollars and seventy-five cents. Joshua King.

To Henry Roots, for thirty panels of fence, destroyed March twenty-seventh, one thousand eight hundred and fifty-four, twenty-six dollars and fifty cents. Henry Roots.

To Samuel Chew and Joseph H. Grabill for damage to fences, grass and clover seed on their property, in September, one thousand eight hundred and fifty-four, seventy-five dollars. S. Chew and J. H. Grabill.

SECTION 10. For payment in full of the claim of Samuel Ogden, for a dirt car, used during the construction of the road to avoid the Schuylkill inclined plane, and afterwards destroyed Samuel Ogden.

by a collision, the sum of seventy-five dollars, as per award of canal commissioners, dated March fourteenth, one thousand eight hundred and fifty-five.

Burns and Christian.

SECTION 11. For the payment in full of the claim of Burns and Christian, for the breaking of five new dump cars, by a collision on the Columbia and Philadelphia railroad, April eighteenth, one thousand eight hundred and fifty-four, one hundred and thirty-five dollars, in addition to the sum of fifteen dollars already paid them, as per report of canal commissioners, dated March fourteenth, one thousand eight hundred and fifty-five.

Patterson and Sterritt.

SECTION 12. For the payment of the claim of Patterson and Sterritt, for injury done to their cars, in consequence of the breaking of an axle of the tank, on the twentieth day of June, one thousand eight hundred and fifty-four, on the Columbia and Philadelphia railroad, the sum of one hundred and fifty-eight dollars and eighty-four cents in full, as per report of canal commissioners, dated April seventh, one thousand eight hundred and fifty-five.

Pennsylvania railroad company

SECTION 13. That the sum of six thousand nine hundred and fifty-seven dollars and seventy-two cents, be and the same is hereby appropriated to the Pennsylvania railroad company, that being the amount paid by said company to sundry persons for personal injuries sustained by them on the Columbia and Philadelphia and Allegheny Portage railroads, and for costs as per report of canal commissioners, dated April twelfth, one thousand eight hundred and fifty-five; also the further sum of nine thousand eight hundred and twenty-two dollars and thirty-five cents in full, for damages, costs and counsel fees paid by said company, in the case of Hannah Wilson against the company in the court of common pleas of Lancaster county, and the case of Emma C. Hudson against the same, in the court of common pleas of Lancaster county, for personal injuries sustained on the Columbia and Philadelphia railroad.

Sallade and Riddell.

SECTION 14. For the payment of the claim of Sallade and Riddell, for balance due them on their contract, entered into on the fifteenth day of August, one thousand eight hundred and fifty-two, for building a new out-let lock into the pool of the dam at Northumberland, the sum of nine hundred and eighty-eight dollars, and the further sum of four hundred and thirty-two dollars and eight cents, for extraordinary work done on said contract, which said sums shall be in full, agreeably to report of canal commissioners, dated April ninth, one thousand eight hundred and fifty-five.

Michael Stewarts

SECTION 15. For the payment of the voucher of Michael Stewarts, dated February twentieth, one thousand eight hundred and fifty-three, for cross-ties furnished on the Allegheny Portage railroad, two hundred and twenty-one dollars and seventy-five cents, the said sum having been advanced by the late state treasurer, who now holds the claim, and which, from certificate from the auditor general's office it appears has never been paid.

Governor to appoint a commissioner to act with auditor general and state treasurer.

SECTION 16. That the governor is hereby authorized to appoint a commissioner, who in conjunction with the auditor general and state treasurer, are hereby authorized to re-examine the claims certified to be due and unpaid on the main line of the public works by the commissioners appointed in pursuance of the twenty-ninth section of the act of ninth May, one thousand eight hundred and fifty-four, in their report dated seventh December, one thousand eight hundred and fifty-four, and may

by any claim or claims they find to be just and legal to the And examine correct old claims.
 or general, whereupon the same shall be audited and shall
 id by the state treasurer, out of any moneys in the trea-
 not otherwise appropriated: *Provided*; That said board
 have power to send for persons and papers, and issue rules
 ke depositions in their investigation of said claims: *And*
ded further, That the said board shall report their proceed-
 under this section, with a statement of the claims allowed
 nem, to the next legislature, and the sum of five hundred
 rs is hereby appropriated to pay any expenses incurred in
 investigation, to be paid by the state treasurer upon war-
 s drawn by said board therefor: *Provided further*, That the
 le amount of said claims so adjusted, shall not exceed the
 of one hundred and forty-nine thousand three hundred and
 nty-seven dollars and forty-nine cents.

SECTION 17. For the payment in full of the claim of John C. J. C. and C. H.
 lge, junior, and Charles H. Dodge, for the destruction of Dodge.
 r canal boat, the two Dodges, by the falling of the Penns
 ek aqueduct, on the Susquehanna division of the Pennsyl-
 ia canal, in the spring of the year one thousand eight hun-
 d and fifty-four, as per award of the canal commissioners,
 ed April twentieth, one thousand eight hundred and fifty-
 , four hundred dollars.

SECTION 18. For the payment of the claim of Kier, Jones and Kier, Jones and
 npany, for damages sustained by them at sundry times, on company.
 Allegheny Portage railway, for injury to their section boats
 d destruction of property, eleven hundred and forty-nine dol-
 rs and seven cents in full, as per report of canal commis-
 sioners, dated twentieth of April, one thousand eight hundred
 d fifty-five.

SECTION 19. For the payment in full of the claim of L. Pross L. Pross and
 d company, for damages, by reason of a breach in the Lewis- company.
 ing cross cut of the West Branch canal, on the twenty-sixth
 April, one thousand eight hundred and fifty-four, whereby
 e claimant's boat was washed into a field, two hundred and
 nety-eight dollars and sixty-two cents, as per report of canal
 mmissioners, dated April twentieth, one thousand eight hun-
 ed and fifty-five.

SECTION 20. For the payment of the claim of J. K. Malone and J. K. Malone and
 mpany, for damage to their cars and loss of wheat, on the company.
 olumbia and Philadelphia railroad, on the eighth of Septem-
 er, one thousand eight hundred and fifty-four, in consequence
 f a collision, four hundred and fifty-three dollars and forty-one
 ents in full, as per report of canal commissioners, dated April
 wentieth, one thousand eight hundred and fifty-five.

SECTION 21. For the payment of the claim of William S. W. S. Hough.
 lough, for damages to field of oats, caused by sparks from a
 ocomotive engine, on the Columbia and Philadelphia railway,
 n July, one thousand eight hundred and fifty-four, one hundred
 nd forty dollars in full, as per award of canal commissioners,
 dated April twentieth, one thousand eight hundred and fifty-five.

SECTION 22. For the payment of the claim of George W. My. G. W. Myers.
 rs, for compensation for damages to his boat and cargo, and for
 expenses sustained at plane number seven, of the Allegheny
 Portage railroad, in the month of June, one thousand eight hun-
 dred and fifty-four, the sum of two hundred and thirty-eight
 dollars and twenty-five cents in full, as per report of canal

- commissioners, dated April twenty-fourth, one thousand eight hundred and fifty-five.
- Joseph Collins. SECTION 23. For the payment in full of the claim of Joseph Collins, for hauling performed by his teams, to and from point east of Market street bridge, Columbia railroad, as per award of the canal commissioners, dated March sixth, one thousand eight hundred and fifty-six, two hundred and fifty-five dollars.
- Kerr and M'Millon. SECTION 24. For the payment in full of the claim of James Kerr and Jonathan M'Millon, contractors on the Erie extension, Pennsylvania canal, for extra embankment, as per award of canal commissioners, dated twenty-fifth March, one thousand eight hundred and fifty-six, seven hundred and twenty-six dollars and fifty-four cents.
- Malone and Stewart. SECTION 25. For the payment of the claim of Malone and Stewart, for injury to their cars on the Columbia railroad on the eleventh December, eighteen hundred and fifty-five, as per award of canal commissioners, dated March twentieth, one thousand eight hundred and fifty-six, one hundred and one dollars and thirty-three cents.
- S. and B. Helstand. SECTION 26. For the payment in full of the claim of S. and B. Helstand, for damages sustained to their cars and freight on the Columbia railroad, in the year one thousand eight hundred and fifty-one, as per award of the canal commissioners, dated March twenty-seventh, one thousand eight hundred and fifty-six, five hundred and nineteen dollars and forty-nine cents.
- James O'Connor and company. SECTION 27. For the payment in full of the claim of James O'Connor and company, for injury to their boats and cargo, on the fifth and seventh November, one thousand eight hundred and fifty-one, on the Western division, Pennsylvania canal, as per report of canal commissioners, dated twenty-third March, one thousand eight hundred and fifty-four, four hundred and thirty dollars and eighty-two cents.
- Superintendent of Columbia railroad. SECTION 28. For the payment of money advanced by the superintendent of the Philadelphia and Columbia railroad, for injury to passengers on said road, on the fourth day of February, one thousand eight hundred and fifty-six, as per report of canal commissioners, dated April second, one thousand eight hundred and fifty-six, three thousand eight hundred and fifty-seven dollars and thirty-nine cents; also, the further sum of one thousand dollars, or so much thereof as may be necessary, to be applied under the direction of the canal commissioners, for claims not yet adjusted.
- N. Trout. SECTION 29. For the payment of the claim of Nathaniel Trout, for injury to his property on the Columbia railroad, by fire, on the twenty-fourth of April, one thousand eight hundred and fifty-three, sixteen dollars and thirty-four cents; also, to Samuel Slaymaker, for injury to his property at the same time and place, twenty dollars and seventy-four cents, as per report of canal commissioners, dated sixteenth of April, one thousand eight hundred and fifty-three.
- S. Slaymaker.
- J. Albright. SECTION 30. For the payment in full of the claim of J. Albright and company, for the destruction of their car by collision on the Columbia railroad, on the eighth September, eighteen hundred and fifty-four, as per report of canal commissioners, dated second April, eighteen hundred and fifty-six, three hundred and sixty-five dollars and seventy cents.
- J. M. Bishop. SECTION 31. For the payment of J. M. Bishop, for work done in preparation for a culvert on the North Branch canal, section

number thirty-two, as per report of canal commissioners, dated April fourth, one thousand eight hundred and fifty-six, in pursuance of the act of fifth April, eighteen hundred and fifty-five, three hundred dollars.

SECTION 32. For the payment of the claim of John Miller, John Miller.

Injury done his cars on the Allegheny Portage railroad, in April, eighteen hundred and fifty-five, as per report of canal commissioners, dated fifth April, eighteen hundred and fifty-six, three hundred and sixty dollars.

SECTION 33. For the payment of the claim of Samuel Lemmon, Samuel Lemmon.

Injury to five empty cars on Allegheny Portage railroad, in April, eighteen hundred and fifty-five, as per report of canal commissioners, dated fifth April, eighteen hundred and fifty-six, one hundred and forty dollars.

SECTION 34. That the auditor general be and he is hereby Adam Ebaugh. authorized and required to examine and settle the account of Adam Ebaugh, of York county, late state agent on the York and Cumberland railroad, and draw his warrant upon the state treasurer for such sum, not exceeding six hundred dollars, as may appear to be due to the said Adam Ebaugh; and the auditor general shall also draw his warrant on the state treasurer in favor of Henry F. Thomas, of York county, at present state Henry F. Thomas. agent on the North Central railroad, for such sum as may be found due him, not exceeding two hundred dollars.

SECTION 35. To Margaret Todd, for injury to the cars belonging to her husband, Andrew Todd, in his lifetime, on the Allegheny Portage railroad, as per report of canal commissioners, dated fifth April, one thousand eight hundred and fifty-six, three hundred dollars. Margaret Todd.

SECTION 36. For the payment of the claim of the Junction Junction canal company, under the contract of said company with the canal company. Governor and canal commissioners, made April third, Anno Domini one thousand eight hundred and fifty-five, being the early sum agreed to be paid by the commonwealth toward the maintenance of the lower dam and lock of said company's canal, and by which the upper level of the North Branch canal supplied with water, the sum of two hundred and fifty dollars.

SECTION 37. For the payment in full of the claim of Jacob Jacob Rheem. Rheem, for injury to his cars on the Columbia railroad, on the thirteenth November, one thousand eight hundred and fifty-five, as per report of canal commissioners dated April eleventh, eighteen hundred and fifty-six, one hundred and thirty dollars.

SECTION 38. For payment of the claim of William H. Butler, W. H. Butler. for arranging, classifying and making catalogue of the French books in the state library, the sum of fifty dollars.

SECTION 39. For the payment of Sampson and Smith, for work done on section number one hundred and twenty-eight, Smith. North Branch canal, the sum of one hundred and nineteen dollars and fifty cents, for work done in the year one thousand eight hundred and fifty-three.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

CERTIFICATE.

SECRETARY'S OFFICE,

HARRISBURG, *May 31, 1856.*

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the 22d day of April, 1856; also APPENDIX, containing laws passed at the sessions of 1851, 1853, 1854, 1855 and 1856, upon which the tax has been paid subsequently to the publication of the Pamphlet Laws of 1855.

A. G. CURTIN,

Secretary of the Commonwealth.

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